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LEGISLATIVE MEASURES AFFECTING LIVING
ACCOMMODATION FOR ELDERLY PERSONS
IN CANADA

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General Series
Memorandum No. 16



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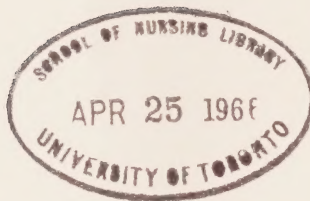
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FOREWORD

Ways and means of ensuring adequate living accommodation for elderly persons, under different sets of circumstances and at prices they can afford, are among matters of the first importance to groups involved in community planning for the aged. The present publication is intended as a general reference for those who wish background information on federal and provincial measures now in effect to further housing and institutional accommodation for the elderly.

The first chapter contains a general review of legislative provisions across the country, the second describes briefly the low-rental housing measures of the federal Government, and succeeding chapters the housing and institutional measures of provincial governments.

We wish to express our indebtedness to the provincial Deputy Ministers of Welfare and to officers of Central Mortgage and Housing Corporation for supplying information on their programs and arranging to have the relevant chapters reviewed in draft.

This bulletin was prepared by Mr. Ronald Draper under the general direction of Mrs. Flora Hurst, Supervisor, Welfare Section.

Director
Research and Statistics Division

1. GENERAL REVIEW

This bulletin is concerned chiefly with measures affecting two kinds of accommodation for elderly persons: low-rental housing and institutional accommodation.

Brief reference is made to other housing measures in so far as they affect housing for the elderly. These refer largely to building standards, sanitation and fire protection, and to the licensing and inspection of lodging houses. The material presented in these areas is not intended to be comprehensive in any sense, but merely to indicate the kind of regulation for which legislative provision has been made, and the responsible administrative authority. In a brief survey of this kind municipal by-laws had to be excluded.

In the area of institutional accommodation, the intention was to cover homes which offer congregate living primarily for elderly persons able to care for themselves, thus excluding nursing homes. This separation, however, was not always possible. Institutional accommodation and nursing home care may be provided within a single home, often in separate wards or wings. Also, the legislation does not always distinguish between the different kinds of care.

HOUSING

Federal and provincial measures encourage the construction of low-rental housing projects for the elderly through financial assistance in the form of loans or capital grants to non-profit sponsoring groups.

The chief enabling legislation for such projects is Section 16 of the National Housing Act under which long-term low interest loans may be made to citizen groups incorporated as limited-dividend housing companies. This Act has been widely used in recent years, particularly in some of the western provinces and central Canada. Projects have been sponsored by voluntary organizations, such as churches, service clubs, fraternal groups, and by municipalities, acting singly or in groups.

Capital grants for low-rental housing are now available in five provinces, Quebec, Ontario, Manitoba, Saskatchewan and British Columbia. Usually the grants cover a stated proportion of the total costs of construction, and in two provinces the maximum amount that may be granted per unit of housing is specified. In British Columbia and Manitoba, for example, grants amount to one third of construction costs while in Saskatchewan they cover 20 per cent of such costs and in Ontario 50 per cent of the portion of costs not covered

by a loan. The maximum amount payable is \$500 per unit in Ontario, and \$1400 and \$1667 for single and two-person units, respectively, in Manitoba. In all cases provincial approval of the plans and specifications for a project is required. Other conditions which vary from province to province refer to age and income of the occupants, the proportion of investment in the project by the sponsoring group, and rental charges.

Legislative provision is made in Newfoundland and Saskatchewan for provincial guarantee of repayment of loans made for the construction of low-rental housing, and in Saskatchewan the Province pays an annual maintenance grant of \$40 per unit for such housing.

Federal and provincial legislation for public housing is also touched on in this report because of its potential importance in providing housing for the elderly. Through the National Housing Act, the federal Government has authority to pay 75 per cent of the costs of constructing such projects; and all provinces except Prince Edward Island and Quebec make legislative provision for provincial-municipal sharing of the remaining 25 per cent of these costs, and for the operation of projects by local housing authorities.

Brief reference is made throughout the bulletin to a variety of provincial measures through which assistance of one kind or another is available to housing for the elderly. In a few provinces there are measures which provide for municipal tax exemptions and grants of money or land specifically for housing for the elderly. Provisions which cover provincial and municipal grants, provincial loans, waiver of incorporation fees, tax exemptions and establishment of rent reduction funds are also relevant in so far as they affect the provision of housing by limited-dividend companies or other groups.

INSTITUTIONAL ACCOMMODATION

Because of the traditional as well as the present importance of the welfare institution as a means of providing sheltered care, and the complex of statutes and regulations in this area, the bulk of the material in the bulletin has to do with institutional accommodation. The measures are described in three broad categories: the financing of homes through capital grants and maintenance subsidies, the supervision of the homes for approval or licensing, and the standards governing care and accommodation.

Provincial and Municipal Homes

Three provinces, Newfoundland, Prince Edward Island and British Columbia, each operate a provincial home for the aged under statutory authority; the governing statute in each case includes conditions for the administration of the home, its admission procedure, and records. In Alberta a number of elderly men are cared for in a provincial hostel for single homeless men. Also, the Province is constructing fifty homes for the aged to be operated by municipal Foundations. In Nova Scotia, New Brunswick and Ontario, large numbers of persons are cared for in municipal homes, as in the past. Recently, municipal sponsorship has assumed a new kind of importance in Saskatchewan, where groups of municipalities have sponsored hostels as an adjunct to housing projects, financed under Section 16 of the National Housing Act. While there are a few municipal homes in other provinces, the major portion of the accommodation is provided on a voluntary or proprietary basis.

Capital Grants

Provincial capital grants for homes for the aged are available in six provinces, Newfoundland, Quebec, Ontario, Manitoba, Saskatchewan and British Columbia. As noted above, a seventh province, Alberta, has assumed the entire cost of building and furnishing fifty municipal homes for the aged on municipally owned land. Generally, the grants are made for both municipal and voluntary homes and are similar to those available for housing, in that they cover a stated portion of capital costs. The maximum portion payable in grants is 20 per cent in Newfoundland and Saskatchewan, 33 per cent in Manitoba and British Columbia and 50 per cent in Ontario; there is no set proportion in Quebec. In two provinces maximum limits are set on the grant per bed that may be paid; these are \$1200 per bed in Manitoba and \$2500 per bed for grants to charitable institutions in Ontario. Three provinces, Ontario, Manitoba and British Columbia also provide grants for the renovation of existing homes for the aged. The maximum grant payable for renovation is \$750 per bed in Ontario and \$700 per bed in Manitoba.

In most cases, payment of a capital grant is conditional on approval of plans and specifications for the home by the provincial authority, thus enabling the province to exercise control over the standard of the accommodation that is provided. Other conditions, which vary from province to province, are also placed on the payment of grants. In British Columbia, for example, residents of assisted homes must be ambulatory and their medical needs must be such that they can be cared for by a visiting medical practitioner. In Manitoba and

British Columbia, an organization requesting a grant for a home must contribute 10 per cent of the total cost, obtained in such a way as not to mean a debt on the accommodation. Both provinces set a maximum limit on the permissible income of residents and Manitoba has a minimum age limit for residents.

Guarantee of Repayment of Loans

Three provinces, Newfoundland, Manitoba and Saskatchewan have statutory authority to guarantee the repayment of loans made for the construction of homes for the aged. The Newfoundland Act also grants the Province authority to guarantee payment of the operating costs of such homes. Accommodation for which a loan is guaranteed in Saskatchewan must be partially financed from municipal funds, and in Manitoba a capital and operating budget must be submitted for any home assisted in this way. The primary purpose of such guarantees has been to meet the federal requirement that the repayment of loans made under Section 16 of the National Housing Act for the construction of hostels (in conjunction with low-rental housing) be guaranteed by a provincial government.

Maintenance Payments

Maintenance grants to homes for the aged take the form of assistance payments, generally made within the framework of the provincial social assistance legislation, on behalf of the needy persons in the home.^{1/} Payments under this type of legislation are made in seven provinces, Newfoundland, Nova Scotia, New Brunswick, Quebec, Manitoba, Saskatchewan and British Columbia; in Ontario and Alberta they are made under other statutes. In Nova Scotia, New Brunswick, Saskatchewan and British Columbia, provincial reimbursement to the municipality for the cost of maintaining needy persons in homes for the aged is included in the formula for total general assistance costs. In Nova Scotia this is 66 2/3 per cent; in New Brunswick, the provincial payment is based on one dollar per capita plus 70 per cent of the cost to the municipality in excess of this amount; in British Columbia it is approximately 90 per cent and, under the Saskatchewan formula, slightly more than this. Saskatchewan also pays an annual flat rate subsidy of \$60 per bed to municipal and non-profit homes. The total cost of maintaining needy persons in homes for the aged in Newfoundland, Quebec and Manitoba is paid by

^{1/} Recipients of assistance in homes for the aged are subject to tests of eligibility such as those which apply throughout the provincial assistance programs.

the province. Alberta makes an 80 per cent reimbursement to the municipality for needy persons in homes for the aged, and Ontario 70 per cent for those in municipal homes.

These provincial and municipal payments are shared by the federal Government under the Unemployment Assistance Act. The federal contribution amounts to 50 per cent of expenditures by the provinces and their municipalities. This contribution is described in some detail in the chapter on federal programs, which follows, but is not referred to in the subsequent chapters in which the provincial and municipal contributions are discussed.

Generally the amounts paid are based on per diem or monthly rates agreed upon by the home and the province; this method is modified in British Columbia and Quebec which set out in the legislation the maximum amounts payable for a given type of care. In British Columbia, for example, provincial contributions for persons requiring institutional and boarding home care, excluding skilled nursing, are based on a maximum rate of \$85 per month.

A somewhat different approach is used in Ontario where grants to municipal homes and charitable institutions constitute a stated proportion of net operating and maintenance costs. In the case of charitable institutions a maximum per diem rate of \$3.40 is set as a basis for computing the grants but there is no stated maximum for municipal homes. Payments to municipal homes in Nova Scotia and New Brunswick are also based on a proportion of the costs of maintaining a person in each home rather than on a rate which is agreed upon in advance.

Other methods are also used to assist voluntary homes for the aged. In seven provinces provision is made for municipal tax exemption, with the exception that in certain instances school taxes or other special charges are excluded. The exemption is often conditional on receipt of a provincial grant or other public funds and may or may not be mandatory, depending on the province. In several provinces provision is made also for municipal grants, either in the form of money or land.

Supervision and Licensing

Provincial supervision of homes for the aged is generally exercised through inspection and approval and, in a few provinces, a system of licensing. The legislative authority for this supervision may be found in health acts and regulations, in social assistance legislation, in statutes governing institutional accommodation, or, more particularly, homes for the aged.

While in most provinces provision is made for the inspection of voluntary and proprietary homes by health or welfare authorities, only four provinces, New Brunswick, Manitoba, Saskatchewan, and British Columbia, combine this with a system of licensing. In British Columbia, licensing is the responsibility of a Welfare Institutions Licensing Board, while in the other three provinces it is handled by authorities within the health and welfare departments. Regulations issued under the licensing legislation of each province contain statements on standards of care and accommodation that must be met as a condition of licensing, as well as an outline of licensing procedure. Licences are issued on an annual basis for a small fee and may be cancelled at any time for failure to provide proper care or comply with regulations; operation of a home without a licence is punishable by a fine.

In other provinces differing approaches are used as a basis for supervising homes for the aged, but each requires compliance with specified standards as a condition of financial aid. In Quebec and Ontario, charitable institutions must be approved in order to qualify for maintenance payments on behalf of their needy residents. The Province of Newfoundland enters into agreements with private boarding homes, many of which care for from 10 to 20 residents. Under the agreement, which sets out certain standards, the homes are subject to provincial inspection.

While municipal homes in Alberta and Ontario are not subject to a formal system of inspection set out in legislation, they are inspected by provincial authorities. This is also the case in Nova Scotia.

In a few provinces, the municipalities are granted primary responsibility for the supervision of homes for the aged. Licensing and inspection of voluntary and proprietary homes is a municipal responsibility in Alberta. Municipal homes in Nova Scotia and New Brunswick are inspected by local boards of visitors; in the former Province the boards are appointed jointly by the province and its municipalities, while in the latter all appointments are municipal. In both provinces the board inspects the home for which it is responsible at least four times each year, and forwards a copy of its report to the provincial welfare department as well as to the municipality operating the home.

Standards of Accommodation and Care

Standards of accommodation relate, among other things, to the type of building and its location, to the equipment and facilities in the home, and to sanitation and fire protection. In some cases the regulations are specific in

their requirements. They may require, for example, that there be at least a specified area of space per resident in sleeping rooms, that prescribed bathing and toilet facilities be available, or that the temperature of the home be kept above stated minima during the day and night. Standards are usually set out in general terms, however, with the administrative authority maintaining control through the exercise of discretion in granting licences or giving approval. Approval is based on detailed information submitted with the application and on reports of inspections. Reliance is also placed on reports or certificates of approval obtained from officials such as fire commissioners and medical officers of health.

Regulations setting out standards of care cover a number of areas and differ substantially in their scope from province to province. Among other things they may govern personnel, nutrition, medical care, occupational and recreational activities, admission and discharge procedures, records, and returns. In a few areas such as admission and discharge, procedures and record keeping, the regulations are fairly specific, and there is some degree of uniformity between provinces. In other areas, however, they are general in their content, as, for example, the requirement that meals of "adequate quantity and quality" be served to residents of municipal and voluntary homes, or that, where possible, adequate recreational, rehabilitative and hobby-craft facilities be provided.

BOARDING HOMES

Provincial measures affecting boarding homes vary, and there does not seem to be a common definition of the term. Two provinces, Newfoundland and Ontario, have adopted measures through which they actively encourage the provision of boarding home care.

In Newfoundland, a number of homes licensed to care primarily for ambulatory persons form an adjunct to the facilities of the Provincial Home, which cares primarily for those requiring skilled nursing. The costs of maintaining needy persons in these homes is met by the Province and the homes are required to comply with standards that are set out in an agreement into which they enter with the Province.

In Ontario, municipalities may maintain small boarding homes located throughout the community as an adjunct to the facilities of a municipal home. Regulations under the Homes for the Aged Act set out requirements governing the operation of such homes and provide for provincial-municipal sharing of the costs of maintaining needy persons in them. Boarding homes under the Ontario program may not care for more than six persons.

In other provinces, legislation which provides for the licensing and inspection of institutional accommodation includes boarding homes. In New Brunswick and British Columbia, homes which care for two or more persons are subject to provincial licensing and inspection, while, in Alberta, homes which care for three or more persons are licensed by the municipalities. In Manitoba all homes are licensed and inspected under the Public Health Regulations, and must meet the standards set out in them. In these Regulations, a distinction is made between boarding homes and private institutions: a boarding home is defined as a home which cares for one or two persons, and an institution as one which cares for more than two persons.

2. NATIONAL PROGRAMS

Loans to Limited Dividend Housing Companies

Public Housing Projects

Aid Towards Maintenance in Homes for the Aged

Rebates Under the Excise Tax Act

List of Statutes

N A T I O N A L P R O G R A M S

The most widely used method of financing low-rental accommodation for the elderly has been through the assistance rendered to voluntary non-profit groups by the long-term low-interest loans available to limited-dividend companies under Section 16 of the National Housing Act. Although no specific mention is made of elderly persons in the Act, many projects for them have been financed under the provisions of this Section.

Housing for the aged may also be built as part of public housing projects undertaken in accordance with Section 36 of the National Housing Act, which provides for federal-provincial sharing of the costs of constructing fixed or low-rental projects. Limited use has been made of this Section in supplying living units for the elderly, but it could be of great potential importance.

Two federal measures which are of benefit in the field of welfare institutions are federal sharing with the provinces of expenditures for the maintenance of persons in homes for special care, which is done under the terms of the Unemployment Assistance Act, and rebates of the federal Excise Tax on purchases for the construction or operation of certified public institutions, which is done under the authority of the Excise Tax Act.

LOANS TO LIMITED-DIVIDEND HOUSING COMPANIES

Financial assistance in the construction, or in the purchase and conversion of existing buildings and land, to provide low-rental housing accommodation for the elderly is available in the form of long-term, low-interest loans to limited-dividend companies under Section 16 of the National Housing Act.

The Act is administered by Central Mortgage and Housing Corporation, in Ottawa. The staffs of regional and district offices are also available to give advice and assistance to applicants for loans.

Any group of public-spirited citizens may form a limited-dividend housing company under the terms of the Act.

A project must be located in an area that is adequately planned and serviced, and must consist preponderantly of

self-contained dwellings, detached or semi-detached, or in the form of row cottages, duplexes, or small garden or other types of apartments. A unit generally consists of one bedroom apartments for couples and bachelor quarters for single persons.^{1/}

Under certain circumstances, it may be possible to make a loan for hostel accommodation as an adjunct to a larger project of self-contained housing.

Those for whom the accommodation is intended must be physically able to manage in the type of dwelling provided.

Since 1946, almost \$28.6 million in loans have been granted under Section 16 for low-rental, limited-dividend housing for elderly persons. This covered 154 loans for projects with 5,625 living units, the latter comprising double and single self-contained units. (This figure for living units does not include something over 600 places in hostels.) It is only in the last five years, however, that any extensive use has been made of this Section in the construction of housing for the elderly; almost 85 per cent of the loans for this purpose have been made since 1955. Table 1, below, shows the distribution by province.

Service clubs and cities or municipalities have been the most active groups in taking advantage of the legislation, although projects have been sponsored also by charitable organizations, church groups and, recently by some entrepreneurs.

Organizations Eligible for Loans

As indicated above, any group of interested citizens including service clubs, charitable foundations, church or ethnic groups, or business men may form a limited-dividend company.^{2/}

^{1/} "Housing the Elderly" and "Financing Housing for the Elderly", a documentary filmstrip and slides illustrating some of the projects, are available on request from the Regional and Branch Offices of Central Mortgage and Housing Corporation.

^{2/} For purposes of Section 16 a limited-dividend company means a company incorporated to construct, hold and manage a low-rental housing project with dividends established by the terms of its charter or instrument of incorporation at five per cent per annum or less of the paid-up share capital. (Non-profit companies have no return on equity; a return on investment to entrepreneurs is reflected in higher rents.)

Table 1. Elderly Persons: Limited Dividend Loans^{1/}
under the National Housing Act, January 1,
1946 to April 25, 1961.

Province	Loans	Living Units ^{2/}	Amount Lent
	No.	No.	\$
New Brunswick	2	24	122,500
Quebec	13	1,079	5,430,607
Ontario	39	2,157	11,107,579
Manitoba	10	311	1,449,930
Saskatchewan	35	958	6,902,851
Alberta	4	124	691,000
British Columbia	51	972	2,891,070
Total	154	5,625	28,595,537

^{1/} The sponsorship of the projects as shown below indicates the breadth of community interest:

Sponsorship		No. of Loans
City or Municipality		43
Church or Church Groups		10
Canadian Legion		11
Corp. of Commissionaires		1
Charitable Organizations		18
United Co-operative Society		2
Entrepreneurs		15
Service Clubs:		
Kiwanis	16	
Rotary	7	
Lions	13	
Kinsmen	4	
Elks	2	
Moose	1	
Combined	10	
Soroptimist	1	
		<u>54</u>
		<u>154</u>

^{2/} Not including hostel accommodation.

Source: Central Mortgage and Housing Corporation

While a loan may not be made to a municipal authority, municipalities may participate in and subscribe to a limited-dividend company, provided that the majority of the company's board of directors are not elected officers or employees of the municipal council. A municipality may sponsor a limited-dividend housing company, but in accordance with the above terms.

Extent of Loans

Each loan, whether for construction or for assistance in the purchase and conversion of existing properties, may cover up to 90 per cent of the lending value of the project, as determined by Central Mortgage and Housing Corporation. The lending value is based on a reasonable estimate of the costs of acquiring the necessary land and constructing the buildings, and certain other expenses entailed during the period of construction.

In some provinces additional aid is available in the form of capital grants from provincial governments. In such cases the amount of the loan and the amount contributed by the sponsoring company will, of course, be reduced.

A loan for a project is secured by a first mortgage in favour of Central Mortgage and Housing Corporation. The time for repayment of the loan may run up to 50 years, but may not exceed the useful life of the project. The rate of interest is established from time to time by the Governor in Council. Loans are currently being made at an interest rate of $5 \frac{3}{8}$ per cent per annum. Interest is computed semi-annually and not in advance.

Conditions for Granting of Loans

A loan is granted under Section 16 only if certain conditions are met on matters such as need, management of the project, rental rates and keeping of records.

Need. The Corporation must be satisfied that there is a need for the housing project because of shortage, overcrowding, congestion or the substandard character of accommodation in the area. Generally this need is determined through joint survey to ascertain the number of persons interested in such housing and the kind of unit desired.

Location. The area in which the project is located must be adequately planned and sufficiently zoned to assure its suitability throughout the term of the loan and to safeguard the security of the loan. Adequate municipal

services are to be available or to be supplied immediately. It is important also that sufficient community services be available, such as shopping areas, churches, transportation. A project may be located on more than one site, if it can be economically managed.

Design and Construction. Adequate care must be taken to ensure economical and suitable design, with sound construction that will ensure the minimum practicable expenditures for repairs and maintenance during the term of the loan. Under the National Housing Act, the Corporation is authorized to establish standards of construction for all housing for which they make loans, including projects financed under Section 16.^{1/}

The National Housing Act requires that there be a sufficient number of units in a project to assure reasonable economies in construction.

Financial Stability. The terms of acquisition of the land and the contract for construction or conversion of buildings must be satisfactory to the Corporation. The sponsoring company must have sufficient funds when added to the loan to ensure completion of the projects.

Management and Supervision. The Corporation must be satisfied that the organization and management of the sponsoring company will assure competent and independent administration in the planning, construction and operation of the project. The project must be maintained in a satisfactory state of repair with representatives of the Corporation being allowed to inspect it at any time. Records and accounts are to be maintained in a form satisfactory to the Corporation, whose representative must be allowed to inspect them at any time. Annual and other reports are to be prepared as requested.

^{1/} Central Mortgage and Housing Corporation reports that substantial leeway is allowed in the size of rooms and layout of housing for old people. This and other information on the granting of loans under Section 16 is included in the booklet, "Housing for the Elderly", published by the Corporation in 1958. The booklet is part of a kit which includes descriptions of several projects in Canada, with sketches of floor plans, data on operating costs, and reprints of a number of articles with background information on the housing needs of the elderly. The packet is available free of charge from the Corporation.

Rentals. The sponsoring company establishes the rental to be charged, but it may not be changed without the permission of the Corporation. The rental is set at an amount which will be sufficient to amortize the loan, pay for taxes and day-to-day operations, and set aside reserves for cyclical expenses and replacement of capital equipment. For entry to the project the income of the prospective tenant must be at least twice the rental, not including the costs of services such as heat and lighting, and occupancy may continue until income exceeds five times the net rental. If the low-rental nature of a project is not maintained, the Corporation is authorized to declare the unpaid principal of the loan payable immediately or increase the rate of interest, as the Governor in Council may determine.

Surplus Earnings. The Corporation may direct the company as to the use of any surplus earnings for the benefit of the tenants.

Rent Reduction Fund. A company may receive contributions to a rent reduction fund from public or private sources with the purpose of reducing rentals that would otherwise be charged. The rent reduction fund is defined as a fund "into which contributions, donations, gifts and bequests may be made by the government of a province or by a municipality, social agency, foundation, trust, estate or person for the purpose of reducing the rental of a family housing unit to permit such unit to be occupied by a family of low income". At the time of writing, no rent reduction funds had been set up.

Procedure in Making Loans

Representatives of Central Mortgage and Corporation are ready at all times to give advice and assistance to applicants planning a project. Consultation should begin as soon as a project is contemplated.

Every group is asked to submit, in draft form and later in final form, a copy of its company charter or letters patent. Application for a loan is made to the Corporation in a prescribed form and must be accompanied by copies of the plans, specifications and site plan of the project, as well as a statement of provisions for efficient management. An application fee of \$35 for each housing unit in the project is also required; one-half of this fee is waived or refunded if the sponsor is a non-profit organization.

The first advance on a loan is made after the sponsoring company has put in its share of the total costs, and others are made periodically during construction. Proof of construction costs is required when the final mortgage advance is requested.

Sale of a Project

No project may be sold or otherwise disposed of during the term of a loan except with the consent of the Corporation and on such terms as it may approve.

Low-Interest Loans for Hostels

A number of loans have been granted under Section 16 for the construction of hostel accommodation, that is, accommodation with a number of bedrooms and common dining and sitting rooms. Loans have been granted for such accommodation only when it was built as an adjunct to self-contained housing for an equal or greater number of persons. Also, repayment of the portion of a loan which covers a hostel must be guaranteed by a provincial government.

PUBLIC HOUSING PROJECTS

Section 36 of the National Housing Act authorizes the federal Government, acting through Central Mortgage and Housing Corporation, to enter into agreements with the provinces for undertaking rental housing projects. While housing for the elderly is not specifically mentioned in the Act, a number of units specifically designed for elderly persons have been included in public housing projects undertaken in British Columbia, Saskatchewan and Ontario. In one city, an entire project has been approved for senior citizens under this Section of the Act.

All provinces except Prince Edward Island have enacted complementary legislation which authorizes their Governments to participate in public housing projects under Section 36. This legislation grants the provincial Government the authority necessary for the planning, construction and management of projects and generally authorizes municipalities to participate in joint housing projects.

Under the National Housing Act, 75 per cent of the capital costs of a housing project and an equal proportion of the profits or losses arising out of its operation are assumed by the federal government. The remaining 25 per cent is provided by the province or the municipality participating in the project, or is shared by them in an agreed manner. The capital costs of a project may be amortized over a period of up to 50 years.

Management of completed housing projects is vested in a local housing authority incorporated under provincial legislation. Members of the authority are selected by the parties to the agreement and are appointed by provincial order-in-council.

Rental projects built under Section 36 are of two kinds: those from which the participating governments recover their full investment over an established amortization period, and those which are subsidized. For the former, a fixed rental is set which will cover operating costs and produce full recovery of the capital invested. Rentals for subsidized units vary with the income and size of the tenant family, and deficits are sustained by the participating governments in proportion to their original investment. For each kind of project the federal government will make payments to municipalities equivalent to the property tax payable on each dwelling.

In carrying out a project the province is responsible for obtaining the necessary land and generally the municipality is required to install the necessary municipal services. Architectural plans are provided by the Corporation, as is the sub-division plan; the latter is subject to the approval of the participants in the project. Tenders are called by the Corporation and the contract is awarded with the approval of the participants.^{1/}

MAINTENANCE IN HOMES FOR THE AGED

Under the terms of the Unemployment Assistance Act, 1956, amended January, 1958,^{2/} federal assistance to the provinces for expenditures on behalf of needy unemployed may include claims on the costs of maintaining persons in accepted homes for special care. These may include homes for the aged, hostels partially financed under Section 16 of the National Housing Act, and nursing homes. The rates of assistance, including those paid for care in accepted homes, and the conditions under which assistance may be

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- ^{1/} Information on public housing projects is provided in the pamphlet, "Federal-Provincial Housing and Land Assembly", available from Central Mortgage and Housing Corporation. The pamphlet is part of a packet containing articles on public housing, which is available without charge from Central Mortgage and Housing Corporation.
 - ^{2/} This Act permits the federal Government to enter into an Agreement with any province to contribute 50 per cent of the unemployment assistance expenditures made by the province and its municipalities on behalf of persons who are unemployed and in need. All provinces and territories have signed Agreements under the Act.

granted are determined by the province or municipality. However, rates paid to these homes may not exceed what an individual might reasonably be expected to pay for accommodation of a comparable kind and quality in the same locality.

Payments to homes are made only on behalf of persons who would not normally be cared for in general, chronic or convalescent hospitals, tuberculosis sanatoria or mental institutions. Also, payments made for medical, hospital, nursing, dental and optical care, and for drugs and dressings are excluded from claims under the Agreements. The costs of routine nursing services provided in institutions such as nursing homes are, however, considered shareable.

Payments to needy persons in homes for the aged are made by the provinces and their municipalities through the regular social assistance program or under legislation which deals with institutional accommodation in particular. These programs are described in some detail in the provincial chapters that follow. It will be noted there that the provincial-municipal sharing formulas vary considerably, with the provincial share ranging from two-thirds to 100 per cent of costs and the corresponding municipal share from one-third of costs down to zero. Subject to the conditions of the Act, it is 50 per cent of this total that is reimbursed to the Province by the federal Government. In other words, if a province reimburses its municipalities for 80 per cent of their assistance expenditures, the cost sharing is 20 per cent municipal, 30 per cent provincial and 50 per cent federal.

REBATES UNDER THE EXCISE TAX ACT

Institutions that have as their main purpose the provision of shelter and care for aged, infirm, or incapacitated persons are among the institutions that are eligible under Section 47 of the Excise Tax Act for a refund of federal sales tax paid on their purchases. To receive refunds, institutions must be receiving maintenance aid annually from the federal or a provincial government and must be certified as 'bona fide' public institutions by the Department of National Health and Welfare. Applications for certification are made to the Departmental Secretary.

Refunds are granted for goods used in construction as well as in the operation of an institution. Application for refunds on behalf of goods used in construction must be made within one year after the date on which the home is certified as a public institution. For other goods, application must be made within two years after they are purchased.

LIST OF STATUTES

The Excise Tax Act: R.S.C. 1952, c. 100, 320; S.C. 1952-53, c. 35; 1953-54, c. 56; 1955, c. 53; 1956, c. 37; 1957, c. 26; 1957-58, c. 14; 1958, c. 30; 1959, c. 23.

The National Housing Act: R.S.C. 1952, c. 188; S.C. 1952-53, c. 42; 1953-54, c. 23; 1956, c. 9; 1957-58, c. 18; 1958, c. 3; 1959, c. 6; 1960, c. 10.

The Unemployment Assistance Act: S.C. 1956, c. 26; 1957-58, c. 20.

Regulations

National Housing Loan Regulations, Order-in-Council P.C. 1954-1980 of December 16, 1954, as amended.

3. NEWFOUNDLAND

Housing

Provincial Assistance to Low-Rental Housing

Provincial Loans to Housing Associations

Public Housing Projects

Housing in St. John's

The St. John's Housing Corporation

Institutional Accommodation

The Provincial Home

Financing Voluntary Homes

Provincial Inspection and Licensing of Institutions

Boarding Homes

Provincial Boarding Home Program

Standards in Licensed Boarding Homes

Lodging Houses

Living Accommodation in General

List of Statutes

N E W F O U N D L A N D

The repayment of loans made for the construction of low-rental housing or hostel accommodation for the elderly may be guaranteed by Newfoundland under The Senior Citizens (Housing) Act, 1960. Through The Housing Association (Loans) Act the Province itself may make loans to approved housing associations, including non-profit or limited-dividend housing companies. Provincial participation in public housing projects is authorized by the Housing Act, and measures for the encouragement of housing in the St. John's area are found in The City of St. John's Act and The St. John's Housing Corporation Act.

Institutional accommodation is provided in the Provincial Home for the Aged and Infirm and in a few voluntary institutions. The Provincial Home is operated under Part 24 of The Health and Public Welfare Act, which sets out detailed provisions governing its administration and the care of its residents. Authority to license and inspect voluntary institutions is granted to the Department of Public Welfare both by its enabling statute and by The Health and Public Welfare Act. Capital and maintenance grants have on occasion been made to voluntary homes for the aged, but statutory provision is not made for them. Municipal tax exemptions for such homes are provided through The Local Government Act.

The Province also provides accommodation for the aged by maintaining a boarding home care program. The boarding homes fall into two classes, licensed and unlicensed. Elderly persons unable to pay their costs of maintenance in these homes, in the Provincial Home, or in charitable institutions are aided under the Social Assistance Act.

The Local Government Act and The Health and Public Welfare Act include measures which relate to living accommodation in general. Lodging houses may be inspected under The Health and Public Welfare Act.

HOUSING

PROVINCIAL ASSISTANCE TO LOW-RENTAL HOUSING

The Province is authorized by The Senior Citizens (Housing) Act, 1960, to guarantee the repayment of loans made under Section 16 of The National Housing Act to groups

constructing low-rental housing or hostel accommodation for the elderly.^{1/} Payment of the costs of operating a hostel or housing project may also be guaranteed under this Act.

To be eligible for a guarantee, a group must be incorporated under the provincial Companies Act in a way that will make it eligible for loans under Section 16 of The National Housing Act. Terms and conditions governing guarantees may be set by the Lieutenant-Governor in Council, who may also direct the Attorney General to set conditions governing them.

Regulations may be made under the Act, but none are in effect yet; this doubtless reflects the fact that the statute is of very recent origin. The Lieutenant-Governor in Council is to designate the Minister responsible for administration of the Act.

PROVINCIAL LOANS TO HOUSING ASSOCIATIONS

Provincial loans to societies or companies engaging in the development and management of housing accommodation are authorized by The Housing Association (Loans) Act. The Act does not limit the kinds of association eligible for loans, but it authorizes the Lieutenant-Governor in Council to require that the associations raise a specified proportion of the money they need by loan or share capital, and that loans be granted only to non-profit associations or to limited-dividend companies which limit their interest or dividend payments to a rate set by the Province. Conditions governing the repayment of loans, securities required, maximum dividends payable, the classes of persons to benefit from loans, and the restriction of expenditures for administration and overhead during the term of a loan may be set by Regulations under the Act.

PUBLIC HOUSING PROJECTS

The provincial Government is authorized by The Housing Act to make agreements with the federal Government and with municipalities respecting public housing projects as contemplated in Section 36 of The National Housing Act.

^{1/} Under Section 16, long-term low-interest loans are made by the federal Government to limited-dividend companies constructing low-rental housing for the elderly or other low-income groups. Details on these loans are given in Chapter 2. In a number of instances loans have also been made for hostel accommodation, subject to the condition that their repayment is guaranteed by a provincial government.

To carry out such agreements the provincial Government may incorporate local housing authorities, with power to plan, construct and manage joint projects, and to acquire and dispose of land. The Minister responsible for carrying out an agreement on behalf of the Provinces may also acquire land for a project; if necessary powers of expropriation may be exercised by the Minister of Public Works. Land held for purposes of this Act is free of municipal taxation; the province is, however, authorized to make annual payments to the municipalities concerned in lieu of taxes.

Municipalities are authorized by the Local Government Act to enter agreements covering public housing projects with the provincial or the federal Government.

HOUSING IN ST. JOHN'S

The City of St. John's is authorized by its enabling Act to build and rent houses of moderate size, suitable for the working classes. The City may also guarantee the securities of any company whose main object is the development of moderate-sized dwelling accommodation if it is satisfied that such accommodation is urgently needed for those working or living in the city and that the company's main purpose is to meet this need and not to make profits.

Land Grants and Tax Exemptions

The City of St. John's may acquire land by expropriation if necessary and may sell or lease it for a nominal amount to the Federal or the Provincial Government for any housing project which it considers desirable. It may also service land which it has granted with water and sewer mains, and streets and sidewalks.

The City may waive, or reduce the taxes on land granted for housing projects, and on the dwellings erected on such land. As an alternative, it may set a fixed annual payment to be made in lieu of taxes over a stipulated period of years. Building, plumbing or electrical permits may be issued by the city without charge, for the erection of houses on granted lands. The City may also waive any part of its building regulations to the extent deemed fit.

THE ST. JOHN'S HOUSING CORPORATION

The St. John's Housing Corporation, which is incorporated by statute, is granted powers to provide and improve housing within a statutorily defined area in the Saint John's region.

It may acquire land and build houses, and may lend or advance moneys for the purchase, construction and improvement of houses; it may also receive loans from provincial, municipal or other bodies.

INSTITUTIONAL ACCOMMODATION

THE PROVINCIAL HOME

The Provincial Home for the Aged and Infirm in St. John's is operated by the Department of Public Welfare under Part 24 of The Health and Public Welfare Act. The Home has a total bed capacity of 116 and cares for both men and women. The present Home, which is approximately 100 years old, is not considered adequate by provincial authorities and a new building to accommodate 200 persons is being constructed.

The objects of the Provincial Home, as stated in The Health and Public Welfare Act, are the maintenance and care of persons, who are incapable of supporting and caring for themselves because of old age, who are affected by incurable diseases of a non-contagious and non-infectious nature, or who are unable to care for themselves because of physical or mental illness. Habitual drunkards are not admitted.

At present only those who cannot be cared for in boarding homes are admitted to the Provincial Home. Thus, many of the residents are bedfast and all require a degree of professional nursing care.

Maintenance of Residents

A primary function of the Home is to provide care at provincial expense for persons unable to support themselves. However, persons who are able to pay the cost of their maintenance are also admitted. The Act requires that such persons pay for their transportation to the Home and contribute at least \$1 per day to the cost of their maintenance. In practice, residents receiving statutory allowances, such as Old Age Security and Old Age Assistance, pay \$45 per month for their maintenance, retaining \$10 as pocket money. Persons able to pay additional amounts are required to do so.

The funeral expenses of any resident of a home are paid from his estate, or by relatives or other persons responsible for his support. Failing these, they are paid by the Department of Public Welfare.

Admission Procedure

Application for admission is made in a prescribed application form to the Deputy Minister of Public Welfare. The name, address, and place and date of birth of an applicant are given in the form, as well as his occupation, marital status and religion; information on the applicant's war service is also given. The applicant must give his places of residence during the previous three years and state whether he has received any financial assistance from the government during this period. He must also indicate whether or not he is entitled to a cash allowance or pension from any source. The name and addresses of the applicant's children and other members of his family are included, as well as the name of other persons willing to contribute to his maintenance. Information is also given on the applicant's income and assets, including details on insurance policies and on property disposed of during the previous three years. The application form is accompanied by a social history of the applicant prepared by a regional welfare officer. This officer is responsible for investigating the ability of the applicant and of his relatives to pay part or all of his maintenance.

All applicants are examined by a registered medical practitioner. A medical report is completed by the physician and gives full details on the patient's physical and mental condition. If the applicant is confined to bed, is mentally ill, or has any contagious or infectious disease, this is indicated in the medical report. No person may be admitted to the home without a written authorization of the Deputy Minister.

Administration

The Health and Public Welfare Act provides for administration of the Home by a Superintendent, under the direction of the Minister of Public Welfare. The Superintendent is to be responsible for control and management of the institution, subject to rules and regulations made by the Minister. The Home is now operated by a matron, with general administration being carried out by senior officials in the Department of Public Welfare.

Personnel

The matron and other staff members are appointed by the Minister of Public Welfare, who defines their duties and fixes their salaries. The Department of Public Welfare administers in an active program of staff training and development. Up

to the present, this has emphasized training courses for nurses' aides; courses for male attendants are also being planned in cooperation with the Department of Health.

Medical services are provided to the Home by physicians from the Provincial Department of Health.

The Minister of Public Welfare has authority to suspend any employees of the institution and to dismiss any persons appointed by himself. Under the Health and Public Welfare Act, employees are constituted police officers for the home and are authorized to arrest persons within the grounds of the home who are breaking the laws of the Province.

Health and Medical Care

A public health doctor makes regular weekly visits to the institution and is on call for emergency. Anyone in the Home who becomes seriously ill is removed to the St. John's General Hospital.

Nutrition

The services of the Chief Nutritional Officer of the Department of Health are made available to the home for the examination and improvement of menus.

Recreational and Occupational Programs

Recreational activities include frequent movies, visits, and other entertainment provided by outside organizations. Three television sets and many radios are in use. Parts of the grounds have been cultivated to provide opportunities for outside activities. Patients capable of undertaking handicrafts are encouraged to do so.

Inspection and Investigation

Persons appointed as inspectors by the Minister of Public Welfare must be admitted to any part of the Home and must, on request, be allowed to see all books and accounts kept by the Home.

The Minister may order an enquiry into the management of the Home or any matter concerned with it, or into the truth of any report. Persons appointed to hold the enquiry have the same power as a court in civil cases to summon the officers of the institution as witnesses and to require their attendance.

Records and Returns

The person responsible for the Home is required to provide the Department of Public Welfare with an annual estimate of the average monthly cost of maintaining a resident in the home. He must also provide the names of the residents of the institution and of those who have been admitted or discharged, with the dates of admission and discharge.

When a resident of the Home dies the person in charge must send a written report of the death to the Registrar of Vital Statistics within 36 hours. A report from the physician, if any, who attended the deceased is also required and must give the cause of death.

FINANCING VOLUNTARY HOMES

Provincial Capital Grants

In 1956 the Department of Finance began making an annual capital grant of \$30,000 to continue for ten years toward the costs of constructing St. Patrick's Mercy Home opened in 1958 by the Roman Catholic Episcopal Corporation. The Home, which accommodates 170 older persons cost some \$1.5 million. When fully paid, the Provincial grant will amount to 20 per cent of construction costs. The Province decided when the grant was made that the same assistance would be granted to any other denomination engaging in a similar project, and since that time a grant of \$220,000 to be paid in ten annual instalments has been made for the construction of another home.

Maintenance of the Needy in Homes

The Department of Public Welfare contributes to the maintenance of needy older persons in voluntary homes for the aged and boarding homes under The Social Assistance Act. An allowance may be paid to anyone who makes his main place of abode in Newfoundland. No persons having real property in excess of \$5,000 in a rural community and \$10,000 in an urban area may receive assistance; liquid assets are limited to \$500 for one person and \$1,000 for a family.

Boarding allowances may not exceed \$75 per month in the case of an ambulatory person and \$100 per month for one who is bedridden. A person receiving an allowance such as Old Age Security, Old Age Assistance or Blind or Disabled Persons Allowances must contribute \$45 to his own support; the difference between this and the rate set is paid by the

Department. Those who are otherwise able to pay in full or in part for their own care are, of course, expected to do so. Clothing is provided for recipients of assistance where necessary; medical care and hospitalization are provided by the Department of Health.

Residents of boarding homes who have no income may receive \$5 per month for pocket money.

Children are liable through The Maintenance Act for the support of their dependent parents. Complaints may be made, under the Act, before a judge, and maintenance orders issued on behalf of the parents. Such complaints may be made by welfare officers and other officers of the Department of Public Welfare. An order for maintenance may be made even if the dependent parent is being cared for by another person in a home or charitable institution.

Municipal Tax Exemptions

Under The Local Government Act the property owned and used by a charitable institution is exempt from real property tax.

PROVINCIAL INSPECTION AND LICENSING OF INSTITUTIONS

Under The Health and Public Welfare Act, the Department of Health is responsible for the inspection of all institutions, both public and voluntary, and the Department of Welfare has supervisory authority and powers of inspection over institutions supported totally or in part by public funds. The Department of Health must see that all institutions are kept in proper sanitary condition.

Under The Department of Public Welfare Act, the Minister of Public Welfare has power to license all houses or institutions caring for needy, aged or blind persons.

There are at present three institutions in the Province, all of them operated by church groups. They are under the continual supervision of the Department of Public Welfare and are visited occasionally by officials of the Department of Health. The institutions are also visited once each year by the Provincial Fire Commissioner.

BOARDING HOMES

PROVINCIAL BOARDING HOME PROGRAM

As an adjunct to the facilities of the Provincial Home and the voluntary institutions in the Province, the Department of Public Welfare sponsors a boarding home care program.

Through this program the Department has licensed seventeen private boarding homes throughout the Province, with a total capacity of about 190 beds. These homes are primarily for ambulatory older persons, although a few do provide care for the bedridden.

Licensed Homes

Homes that are being considered for licensing under the boarding home program are inspected by a Department of Public Welfare official. If he reports a home as a possibility, it is inspected by the Provincial Fire Commissioner who outlines measures that should be taken to ensure the safety of the residents, and recommends the total number that should be admitted. When his recommendations are carried out, the home may begin operation. An agreement is entered into by the proprietor and the Department of Public Welfare setting out the standards that must be maintained in the home. Homes may not accept any person as a resident without the consent of the Department.

Unlicensed Homes

When requests are received by the Public Welfare Department for the accommodation of persons who do not need professional care, an attempt is made to find a home for them with residents of their own community. These homes, which are located in all sections of the province, are not licensed but they are supervised by the Provincial Welfare officers of the districts in which they are located.

Maintenance of Residents

Needy older persons cared for in boarding homes are assisted under The Social Assistance Act. The maximum rates that may be paid and the conditions under which aid is granted are described above under "Maintenance of the Needy in Homes".

Inspection and Supervision

A specially assigned Welfare Officer whose duty is to see that the homes maintain the required standards, visits all licensed homes at frequent intervals. These homes are also inspected annually by the Provincial Fire Commissioner. Unlicensed homes are supervised by the provincial welfare officers in the districts in which they are located.

The Department of Public Welfare will remove from a home any person whose conduct, in the opinion of a medical health officer, is such as to jeopardize the home, its staff or its other residents.

STANDARDS IN LICENSED BOARDING HOMES

Facilities

A home is required by the Agreement which it enters into with the Province to accommodate no more than the number of persons specified in the Agreement, unless approval to do so is given by the Deputy Minister of Welfare.

Each patient is to have a single bed with sufficient bed clothing for his comfort; bed clothing is subject to the approval of the Departmental inspector. There must be no less than 70 square feet of floor space for each patient's bed in the homes.

Sanitation

The home is to be kept in repair, and painted and cleaned to the satisfaction of the departmental inspector. Facilities for sewage disposal and water service must be of a type and standard prescribed by the Chief Health Inspector of the Health Department. Drinking water for the home is to be analysed at specified times each year and a report of the analysis furnished to the Deputy Minister of Public Welfare.

Fire Protection

Fire extinguishers and fire escapes of a kind and number recommended by the Provincial Fire Commissioner are to be maintained in each home. Any of his recommendations for fire prevention, which apply to matters such as central heating and chimneys, must be put into effect within a reasonable time after they are made.

Personnel

A home must have sufficient staff to maintain and clean it, and prepare meals for the patients. The number of staff is subject to the approval of the Department of Public Welfare, as is each staff member. An approved person is required to care for the patients during the day, with another to act as night-watchman and supply the necessary care during the night.

Medical Care

Any medical practitioner or nurse appointed by the Departmental Inspector, or other person authorized by the Deputy Minister to attend persons lodged in homes or to see that the provisions of an agreement are carried out, must be admitted to a home at all times. An immediate report

is to be made to the Deputy Minister when any patient becomes ill. Any medical care required by residents of the homes is provided by the Department of Public Welfare.

Nutrition

Each patient is to be provided with not less than three meals a day prepared in accordance with a menu set out by the Nutritional Officer of the Welfare Department. The menu must be posted in a conspicuous place in the home, along with the certificate of approval of the menu issued by the Deputy Minister of Health.

Recreation

Recreational facilities must be provided to the satisfaction of the Department of Welfare, including a radio for the sole use of the residents. Any reading material provided by the Department must be delivered to the residents.

LODGING HOUSES

The Minister of Health acting through his Deputy Minister is authorized by The Health and Public Welfare Act to make regulations governing plumbing, heating, lighting, ventilation, and sanitary equipment and conditions in all lodging and boarding houses. He may also provide for the inspection of such buildings.

LIVING ACCOMMODATION IN GENERAL

BUILDING STANDARDS

The Local Government Act requires that no person be allowed to erect, extend, repair or change the use of any building without a permit obtained from a municipal council. A permit is also required for building a sewer or using a new water supply. Municipal councils are authorized to make general rules and regulations governing the conditions under which a permit may be issued. If a building is erected and does not comply with the terms of a permit the council may order that the building be removed or altered. A council may also order the removal or alteration of any existing building which is dangerous or unfit for human habitation.

Similar provisions for the control of buildings are included in the specific acts of incorporations of several towns in the province. The City of St. John's Act includes provisions relating to submission of plans and specifications for municipal approval.

SANITATION

The Minister of Health may make regulations under the Health and Public Welfare Act governing the cleaning, purifying, ventilating and disinfecting of all public and private buildings in the province.

LIST OF STATUTES

The City of St. John's Act, R.S.N. 1952, no. 87; S.N. 1953, no. 24; 1954, no. 96; 1955, no. 36; 1956, no. 24; 1957, no. 8; 1958, no. 37; 1959, no. 57; 1960, no. 62.

The Department of Public Welfare Act, R.S.N. 1952, no. 18.

The Health and Public Welfare Act, R.S.N. 1952, no. 51; S.N. 1954, no. 22; 1956, no. 31; 1957, no. 61; 1958, no. 26; 1959, no. 12, 52.

The Housing Act, S.N. 1959, no. 48.

The Housing Association (Loans) Act, R.S.N. 1952, no. 77.

The Local Government Act, S.N. 1956, no. 52; 1957, no. 39; 1958, no. 23; 1959, no. 9.

The Maintenance Act, R.S.N. 1952, no. 65.

The St. John's Housing Corporation Act, R.S.N. 1952, no. 80; S.N. 1957, no. 25.

The Social Assistance Act, S.N. 1954, no. 37; 1956, no. 17; 1957, no. 38; 1958, no. 7; 1960, no. 14.

The Senior Citizens (Housing) Act, S.N. 1960, no. 67.

Regulations

Regulations under the Social Assistance Act,
Newfoundland Gazette, January 17, 1961.

4. PRINCE EDWARD ISLAND

Housing

Assistance to Limited-dividend Companies

Institutional Accommodation

Provincial Home

Grants to Voluntary Homes

Tax Exemptions

Boarding and Lodging House Accommodation

Regulation and Registration of Accommodation

Accommodation in General

Building Standards

Inspection of Buildings

List of Statutes

P R I N C E E D W A R D I S L A N D

Accommodation for the elderly in Prince Edward Island is provided mainly in two provincial institutions, the Home for the Aged, which is operated under the Provincial Home for the Aged Act, and Beach Grove. Other acts relating to institutional accommodation are The Hospital Act under which provincial grants may be made to refuges, and The Personal Property and Special Companies Taxation Act which authorizes tax exemptions on the property of homes for the aged.

Regulation of boarding and lodging houses is authorized by The Public Health Act and requirements affecting housing in general are found in The Town Act and The Village Services Act. Municipal participation in limited-dividend housing projects is authorized by The Town Planning Act.

HOUSING

ASSISTANCE TO LIMITED-DIVIDEND COMPANIES

The only measures affecting limited-dividend housing companies in Prince Edward Island are found in The Town Planning Act. Under this statute, a municipality may acquire and hold shares in a limited-dividend or other company formed to provide housing for rent or for sale. A municipality may also acquire land by expropriation or other means and sell or lease it to such companies.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOME

Through the Provincial Home for the Aged Act, 1960, the institution formerly known as the Provincial Infirmary has been designated as a home for the aged. The Home is located in Charlottetown and is operated by the Department of Welfare and Labour. In the past it was administered by the Mental Health Division in the Department of Health and cared for needy and infirm persons of all ages including some who were senile or suffering from other mild forms of mental illness. The Home had a total capacity of about 175 and reports indicate that most of its residents required a good deal of nursing care. When the conversion to a home for the aged is completed bed capacity will be substantially reduced and care will no longer be provided for the mentally ill. The Home will, however, continue to offer some nursing care.

Beach Grove, an institution which was originally operated as an annex to the Provincial Infirmary is now also operated as a home for the aged. This institution has a capacity of 165 beds and is administered by the Department of Welfare and Labour. It does not, however, operate under a special statute as does the Provincial Home.

Administration of the Home for the Aged

The Home for the Aged is operated under the direction of the Minister of Welfare and Labour with the aid of a board of governors appointed by the Lieutenant-Governor in Council. The board consists of six members, with the Minister of Welfare and Labour, to whom the board is responsible, and the Superintendent for the Home acting as members ex officio. The members are appointed for terms which are set by the Lieutenant-Governor in Council but may not exceed three years. The Lieutenant-Governor in Council also names the chairman of the board.

The board meets as often as is necessary for the operation of the home, but must meet at least once a year. It is authorized to make recommendations for the proper operation of the Home and on rates to be charged for accommodation in it. The board may also act as a committee of assessment or may appoint such a committee to evaluate the ability of residents to pay for care in the Home.

Direct control and management of the Home is the responsibility of the Minister of Welfare and Labour. Regulations governing detailed administration may be made by the Lieutenant-Governor in Council, subject to whose approval the Minister may make rules for the management of the Home and for the control of its residents. No regulations have been made under the Act up to the present.

The superintendent of the Home is appointed by the Lieutenant-Governor in Council and is responsible to the Minister of Welfare and Labour.

Admission Procedure

Application for admission to the Home is made to the Minister of Welfare and Labour.

Maintenance in the Home

The net costs of operating the Home are met through provincial revenue.

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5.61

As noted above, a committee of assessment is appointed to determine the ability of residents to pay for care in the Home. If the estate of a resident who is not indigent is no more than sufficient to maintain his family, his maintenance costs may be paid by the Province.

The costs of maintaining needy persons in the Home may be recovered from certain of their relatives if these relatives are able to pay for such support. Those liable include the husband, father, mother, or guardian of a person and any children over 21 years of age. The Department of Welfare and Labour may sue for this support in any court of competent jurisdiction.

Employment of Residents

The Superintendent, with the direction of the Minister, may require residents to work in the Home or about its premises if they are able to do so. The Act states that this work is to be considered in the best interests of the residents.

Protection of Staff

Court action may not be brought against officers or other employees of the Home for any acts done in performing their duties or as a result of neglect, without the consent of the Attorney-General. All actions must be begun within one year from the date on which any alleged act of negligency was committed.

Records and Returns

A written report on all matters relating to the Home must be prepared annually; it must include a statement of the number of residents cared for during the year and the amount of money spent for the operation of the institution, with an estimate of expenses for the following year.

GRANTS TO VOLUNTARY HOMES

The Hospital Act, which provides for the payment of grants to hospitals also authorizes the Lieutenant-Governor in Council to designate 'refuges' to which aid may be granted. Such homes must be inspected before aid is granted, to ascertain that they meet the requirements for an institution of the kind which they represent. There appear to be no homes for the aged receiving aid under this Act at present.

The Act also provides for the appointment of an inspector, on whose recommendation a grant could be withdrawn from an institution found to be unsatisfactory.

TAX EXEMPTIONS

When a home for the care of the aged or disabled is supported by grants from the Crown or by private charity, property used exclusively by it is exempt from all provincial property taxes, under the Provincial Property and Special Companies Taxation Act.

BOARDING AND LODGING HOUSE ACCOMMODATION

REGULATION AND REGISTRATION OF ACCOMMODATION

The Public Health Act authorizes the Lieutenant-Governor in Council to make regulations governing the construction of board and lodging houses, their ventilation and sanitation, the size of their rooms and the number of persons that may live in each. He may also make regulations governing the registration of boarding houses. However, no regulations of this kind have been made.

ACCOMMODATION IN GENERAL

BUILDING STANDARDS

Town councils are authorized by The Town Act to make and enforce bylaws governing the construction and alteration of buildings. These bylaws may govern location, material used in construction, sewage disposal, heating, and other matters necessary to guard against fire and provide for safety and health.

INSPECTION OF BUILDINGS

Village commissioners and town councils may make bylaws regulating the inspection of buildings to prevent fires and accidents. Councils may also provide for the appointment of building inspectors and may require owners to repair or remove buildings which are a menace to health and safety.

LIST OF STATUTES

The Provincial Home for the Aged Act, S.P.E.I. 1960, c. 32.

The Hospital Act, R.S.P.E.I., 1951, c. 74; S.P.E.I. 1956, c. 17.

The Personal Property and Special Companies Taxation Act, R.S.P.E.I., 1951, c. 156; S.P.E.I., 1952, c. 1.

The Public Health Act, R.S.P.E.I., 1951, c. 129; S.P.E.I. 1953, c. 38.

The Town Act, R.S.P.E.I., 1951, c. 162; S.P.E.I., 1952, c. 45; 1953, c. 46.

The Town Planning Act, R.S.P.E.I., 1951, c. 163; S.P.E.I., 1953, c. 31; 1958, 30.

The Village Service Act, R.S.P.E.I., 1951, c. 171; S.P.E.I., 1952, c. 47; 1953, c. 49; 1954, c. 39; 1956, c. 45; 1957, c. 37.

5. NOVA SCOTIA

Housing

The Provincial Housing Commission

Municipal Purchase of Housing Projects

Public Housing

Institutional Accommodation

Municipal Homes

Standards in Municipal Homes

Accommodation in General

Sanitary Inspection

Fire Protection

List of Statutes

N O V A S C O T I A

Measures of importance to housing in Nova Scotia are found in the Housing Commission Act. Under this statute the Provincial Housing Commission is authorized to encourage the formation of limited-dividend housing companies, and to allow these companies certain privileges, including exemption from municipal taxation. The Act also authorizes provincial and municipal participation in public housing projects under Section 36 of the National Housing Act. Municipal authority in matters relating to housing is granted under the Municipal Corporations Supplementary Powers Act.

Institutional accommodation for the aged is provided in several municipal homes in Nova Scotia and in a number of institutions operated on a voluntary basis. Municipal homes are operated under the authority of the Social Assistance Act through which they are supervised and inspected, and receive provincial maintenance payments on behalf of their needy residents; regulations made under the Act set out standards of care and accommodation to be maintained in these homes.

Clauses relating to housing in general are found in the Public Health Act and the Fire Prevention Act.

HOUSING

THE PROVINCIAL HOUSING COMMISSION

Indirect aid to limited-dividend housing companies is available in Nova Scotia under the Housing Commission Act.

The Provincial Housing Commission is appointed by the Lieutenant-Governor in Council, and consists of not more than nine members who hold office during pleasure. The duties of the Commission, include studying housing needs and conditions in the province, making recommendations for the correction of unsanitary and dangerous conditions, and stimulating the creation of local planning boards under the Town Planning Act. The Commission is also responsible for encouraging the formation of companies to provide housing for sale or rent and for making loans to such companies.

The Commission is also authorized to encourage and promote the formation of limited-dividend housing companies that will be eligible for loans under Section 16 of the National Housing Act, or any other aid available for low-rental housing projects.

Waiver of Fees

The Province is authorized by the Housing Commission Act to waive the payment by a limited-dividend company of all incorporation or other fees payable under the Companies Act or other provincial legislation, for as long as any loan acquired by the company remains unpaid.

Municipal Tax Exemptions

A city in which a limited-dividend company erects a housing project may, under the Housing Commission Act, agree that all property taxes, including school taxes, on the project will not exceed one per cent of the costs of construction, and that no taxes will be levied on company income. This reduction may remain in effect as long as any loan acquired by the company remains unpaid. The city may also agree that if the company's net earnings are insufficient to meet semi-annual payments on a loan, it will forego all taxes payable at the time or in the future, or any lesser amount that will enable the company to pay the amount that is due.

MUNICIPAL PURCHASE OF HOUSING PROJECTS

If a city purchases a housing project owned by a limited-dividend company, it may enter an agreement with the Province under which the latter will pay part of semiannual interest and principle payments that fall due on loans made by the federal Government to finance the project.

PUBLIC HOUSING

Through the Housing Commission Act the Province may enter agreements with Central Mortgage and Housing Corporation for the construction of public housing projects under Section 36 of the National Housing Act. In any agreement the Commission is the agent of the provincial Government.

A municipality may enter an agreement to undertake a public housing project, either through the province or directly with Central Mortgage and Housing Corporation. When an agreement is made with the province the way in which capital costs and operating profits or losses are shared is as agreed between them. Municipalities are authorized by the Housing Commission Act to expropriate and prepare the land required for a project and to raise any money needed. The Province may incorporate local bodies with power to plan, construct and manage housing projects.

Under the Municipal Supplementary Powers Act, municipalities may carry out any agreements relating to housing, with Central Mortgage and Housing Corporation or other corporate bodies with similar objectives. Any funds required for this purpose are considered as sums needed for municipal purposes within the meaning of the Municipal Act.

While public housing projects for low-income groups have been undertaken in Nova Scotia, no units for elderly persons have been included in them.

INSTITUTIONAL ACCOMMODATION

MUNICIPAL HOMES

Municipalities are required by the Social Assistance Act, 1958, to provide assistance for their needy residents;^{1/} if necessary this obligation may be discharged by providing care and maintenance in a municipal home. A city, incorporated town or other municipality may establish a home, with the approval of the Minister of Public Welfare. The homes are governed by by-laws made by the municipalities responsible for them and approved by the Minister of Public Welfare.

Two or more municipalities may enter an agreement for the establishment and maintenance of a joint municipal home. When this is done the management of the home can be vested in the councils of the participating municipalities or, if the agreement so provides, it may be made the responsibility of one of them. The agreement may authorize one of the participating municipalities to pass regulations governing the home; if this is not done it becomes the responsibility of the municipality in which the home is located.

There are at present 13 municipal homes in Nova Scotia with a total bed capacity of 600.

^{1/} Settlement or residence is obtained by residing in a municipality for twelve consecutive months. Settlement is also gained by persons who have paid at least one year's rates on real or personal property in a municipality and those who have been elected or appointed to a municipal office and have begun to perform the duties of the office.

Financing Municipal Homes

Municipal councils are given authority by the Municipal Act to collect any money required for the construction and operation of municipal homes. The amounts required for this purpose are borne by each municipality as a whole and collected as a part of the general levy. The Municipal Affairs Act authorizes them to borrow money for erecting, acquiring or equipping municipal homes, with the approval of the Minister of Municipal Affairs and the assent of rate-payers.

In the case of joint municipal homes, the costs of operating the home, including interest and principle payments on debentures, are an object of joint expenditure among the municipalities involved.

Maintenance in Municipal Homes

Through its social assistance program the Province reimburses municipalities for two-thirds of their expenditures for the maintenance of needy persons in municipal homes.^{1/} Payments are made on the basis of fixed per diem rates which are set periodically by the Province for each home.

Under the Act each municipality may be divided into a number of welfare districts. A welfare committee consisting of three resident ratepayers is then appointed for each of the districts by the municipal council, to be responsible for furnishing assistance to needy persons. In a number of cases, however, an entire municipality has been constituted as a single welfare district with a welfare department employing full-time staff responsible for the administration of social assistance. To gain admission to a home a needy person must apply for aid to the welfare committee or department of the district in which he has settlement. As a condition of aid he may be required to make a written statement under oath on his settlement and matters which relate to its determination.

Recovery of Maintenance Costs

The children of any needy older person cared for in a municipal home are responsible for his maintenance. The council of the municipality in which the needy person has settlement decides the extent of this aid. If the children fail to give the necessary assistance, court action for an amount not exceeding \$10 per week may be brought against them by the clerk of the municipality. A child may also appeal to a court against direction from a municipality to support his parent.

^{1/} Elderly needy persons are also maintained in voluntary homes for the aged under the Social Assistance Act. The rates paid to such homes are set by the municipalities granting assistance.

If a needy person is granted maintenance in a municipal home, the municipality may take a conveyance on his property as a condition of assistance. With the consent of the Minister of Municipal Affairs, property so obtained may be sold, but three months advance notice must be given to the owner before real property is sold. Any excess over the costs of maintenance obtained from the sale is held in trust and paid to the resident in an amount determined by the municipal welfare committee. In the event of his death the balance is paid to his estate.

Municipalities may, if necessary, take court action to recover costs of maintenance from a person who owns property. Claims may also be filed against the estate of a person who has been assisted.

Municipalities that have maintained non-residents may recover the costs of maintenance from the municipalities of settlement.

Inspection of Municipal Homes

For each municipal home the Social Assistance Act requires the appointment of a board of visitors consisting of five members. Three members are appointed by the municipal council or councils that are operating the home and the other two, one of whom is a woman, by the Lieutenant-Governor in Council. All are paid a per diem fee by the Province for their services.

Each board visits and inspects the home for which it is responsible four times each year and reports on its visit to the councils operating the home; a copy of the report is also forwarded to the Minister of Public Welfare. The Minister may at any time request that a board visit a home and report to him on its administration and the standards of care maintained in it.

The Department of Public Welfare reimburses municipalities for assistance granted to persons in municipal homes only if it is satisfied that standards set out in Regulations under the Social Assistance Act are being maintained in the homes or that everything reasonably possible is being done in an effort to comply with them. The Department must also be satisfied that the persons to whom the assistance is granted are suitable ones to be in a municipal home. In addition to the inspections carried out by the boards of visitors, frequent visits are made by the provincial Director of Social Assistance and by the Social Assistance Consultant to determine that requirements are being met.

Authority to make by-laws governing the operation of municipal homes for which they are responsible is granted to municipalities by the Municipal Act.

STANDARDS IN MUNICIPAL HOMES

Standards relating to care and accommodation in municipal homes are set out in Regulations issued under the Social Assistance Act, 1958. As noted above, compliance with these Regulations is a condition of aid under the Act.

Physical Standards

The Regulations require that the buildings and grounds of municipal homes be suitable for the purposes for which they are intended and be approved by the Minister of Public Welfare. Plans for new homes must be submitted to the Minister before construction is begun.

Equipment and furnishings must be suitable and have the approval of the Minister. The heating system in each home must be adequate to assure a level of heating sufficient to keep the residents warm and comfortable. Washrooms, toilets and bathing facilities are to be adequate for the number of patients in care and must be kept clean, free from odours and in good repair.

Accommodation

The Regulations require that all rooms in a municipal home be kept clean, well ventilated, free from odours and at a temperature of not less than 70 degrees Fahrenheit during the day and 60 degrees during the night. There must be adequate space for all residents of a municipal home, including space in a sitting room. Single rooms are required to have a minimum of 100 square feet of floor space and in rooms with more than one bed there must be at least 50 square feet per bed. Day rooms are to have 40 square feet for each ambulatory resident of the home.

All rooms are to be attractively and comfortably furnished and made as homelike and pleasant as possible, with a sufficient number of comfortable chairs. Beds and mattresses must be clean and comfortable with sheets and blankets that are clean and sufficient for warmth. Individual towels must be provided for residents.

Sanitation

As mentioned above, all rooms are to be kept clean, well ventilated and free from odours. The Regulations also require

that proper cleanliness be observed in the preparation of food and that the dining room be clean, attractive and bright.

Fire Protection

Municipal homes are to be reasonably safe from fire. Doors leading to fire escapes may not be locked, and fire drills must be held at least once each month.

Personnel

The supervising officer of each home must be a mature person who, in the opinion of the Minister of Public Welfare, has the qualifications necessary for managing a home and caring for its residents. Each home is required to retain sufficient staff to provide adequate personal care for the residents, including attention to their needs during the night, and evacuation of them in case of emergency. The staff must also be sufficient to permit reasonable hours of work and holidays with pay.

In a home with more than 15 residents a supervisor must be on duty at all times. Homes with 15 or more residents must have on their staff a registered or practical nurse who, in the opinion of the Minister, has sufficient knowledge and experience to adequately supervise the nursing care of the residents.

Persons employed after June 1, 1959, who are working directly with and are responsible for the care of residents must have at least a grade nine education. The supervising officer and other senior staff members of municipal homes are required by the Regulations to attend staff training sessions and conferences held periodically by the Department of Public Welfare. The expenses of attending such sessions are borne by the municipality operating the home and are included in the overall costs of operating the home.

Medical Care

Each municipal home is required to have a qualified medical practitioner as its physician. His duties include examining and treating any patient who is reported to require medical care and assuring that adequate medical care is given to all residents. In addition to answering any emergency calls to the home, the physician must visit it at least once each month and satisfy himself that the medical care given to the patients is adequate and satisfactory. If at any time he considers the care to be inadequate he is to report this to

the supervising officer and to the committee of management for the home. The physician is also required to furnish the Minister of Public Welfare with any information on the residents that the latter may require from time to time.

The physician is called upon to examine each resident immediately after his admission and prepare a medical report covering the resident's medical history, his general appearance, detailed information on his medical examination and any recommendations the examining physician may wish to make. Each resident is also given a complete medical examination annually and a report added to his medical record.

Special medical treatment and devices, including glasses, dentures, prosthetic services and wheel chairs must be provided for residents when recommended by the home physician, who may also arrange medical treatment from a specialist, after consultation with the supervisor of the home.

Nutrition

Food served in municipal homes must be adequate in quantity and variety, attractive in appearance, and meet the requirements of Canada's Food Rules. It is the duty of the Provincial Nutritionist to report periodically to the Minister of Public Welfare concerning the food served in homes and its adequacy in relation to the Food Rules. In exercising this responsibility the Nutritionist visits each home at least once each year, and oftener if necessary.

Regulations also require that homes have adequate facilities for proper storage, refrigeration and preparation of food and for dish washing.

Personal Care

The staff of a municipal home is required to do everything reasonably possible to ensure that every resident is clean, comfortable, and of good appearance.

Residents must be provided with suitable clothing that is neat and in good order and their hair must be kept clean and properly cut at all times. Facilities for bathing must be provided and residents must be permitted and required to have periodic baths.

Protection of Residents

The Regulations forbid the use of physical force or restraint in a municipal home. If the supervising officer believes that a resident has been struck or handled roughly

by a staff member, the staff member must be suspended from duty until an investigation can be conducted by the committee of management for the home.

Doors of patients' rooms may not be locked at any time.

Religious Worship

Every home must have adequate facilities for holding religious worship and instruction.

Recreational and Occupational Programs

Adequate recreational facilities are to be provided both in and outside of municipal homes. Pen-like enclosures for exercise and recreation may not be used. Residents may be encouraged to work if they are able, but in no case may they be forced to do so.

Admission Procedure

All admissions to a municipal home must have the prior approval of the home's physician. No person who in the opinion of the physician should be receiving care in a general hospital because of his mental or physical condition may be admitted. Also excluded are those who have been certified by two doctors as suitable for admission to a local asylum or to the Nova Scotia Hospital, and those whose general behaviour is such that they are likely to disturb other residents or be incorrigible or difficult to handle.

When a resident is admitted a prescribed admission form must be completed by the supervising officer of the home and filed with the Director of Social Assistance.

Included in the form are the name and address of the patient and that of his next of kin, his place and date of birth and his sex, marital status, religion and settlement. Also given are the date of admission and the name of the person arranging admission, a statement of the patient's income and assets, his physical and mental condition, the reason for his admission to the home and the arrangements that have been made for his burial in case of death. The supervising officer must state in the form whether in his opinion the home can properly care for the patient or if he should be transferred to another institution.

Discharge Procedure

When a resident dies or is discharged a prescribed discharge form must be completed by the supervising officer and filed with the Director of Social Assistance.

In a case of death, the date and cause of death are given as well as the place of burial and the name of the physician signing the death certificate. For discharge, the date and reason for discharge and the new address are given.

Records and Returns

A separate file is kept for the records of each resident. In it are placed all of his records, including his admission form, his medical report form and his discharge form if he leaves. When a patient is admitted a record of clothing, personal funds and other things belonging to him is placed on his file.

The files are to be kept in a cabinet readily accessible to senior staff members and officials of the Department of Public Welfare.

As noted above, the home physician is required to supply any information that the Minister of Public Welfare may require from time to time about the residents of the home.

LIVING ACCOMMODATION IN GENERAL

SANITARY INSPECTION

Under the Public Health Act, a local Board of Health, a health officer or a sanitary inspector may enter any building or premises to inspect it. When it appears that a dwelling house is endangering public health or the health of the occupants the Board of Health may require the owner or the occupant to remove the cause of complaint. In case of neglect, the Board may have the cause removed.

FIRE PROTECTION

The Provincial Fire Marshal is authorized by the Fire Prevention Act to enter any building or premises for inspection purposes and to ascertain if any special fire hazard exists or if the building is occupied in such a way that fire might endanger life or property. After an inspection the Marshal may order that the use or occupancy of a premises be altered, or that the owner remove or take precautions against any fire hazard. The cost of complying with such an order is met by the owner. The Act also requires every municipal council to provide a system of regular inspection of buildings and premises within its limits.

LIST OF STATUTES

The Fire Prevention Act, R.S.N.S. 1954, c. 101; S.N.S. 1957, c. 27; 1958, c. 33.

The Housing Commission Act, R.S.N.S. 1954, c. 118; S.N.S. 1957, c. 29; 1958, c. 36; 1959, c. 21.

The Municipal Act, S.N.S. 1955, c. 7; 1956, c. 50; 1957, c. 58; 1958, c. 73; 1959, c. 49.

The Municipal Affairs Act, R.S.N.S. 1954, c. 186; S.N.S. 1956, c. 32; 1958, c. 49; 1959, c. 28.

The Municipal Corporations Supplementary Powers Act, R.S.N.S. 1954, c. 190.

The Public Health Act, R.S.N.S. 1954, c. 234; S.N.S. 1956, c. 37; 1957, c. 40; 1958, c. 58; 1959, c. 36.

The Social Assistance Act, S.N.S. 1958, c. 13; 1959, c. 55; 1960, c. 59.

Regulations

Regulations under the Social Assistance Act.

6. NEW BRUNSWICK

Housing

Municipal Housing Commissions

Public Housing

Institutional Accommodation

Municipal Homes

Voluntary Homes for the Aged

Standards in Homes for the Aged

Boarding Home Care

Regulation of Lodging Houses

Accommodation in General

Regulation of Building

Health and Sanitation

Fire Protection

List of Statutes

N E W B R U N S W I C K

Two statutes relate to housing in New Brunswick, although not to housing for the elderly in particular. Through the Housing Commission Act loans may be made by municipal housing commissions to property owners who are building homes, but no mention is made of loans to voluntary organizations or limited-dividend companies. Provincial and municipal participation in public housing projects under Section 36 of the National Housing Act is authorized by the Joint Housing Project Act.

Institutional accommodation for the elderly is provided in municipal homes and in homes for the aged operated under private auspices. The municipal homes, which provide care and shelter to indigent persons of all ages, are operated under the Social Assistance Act. Private homes offering accommodation for more than two aged or infirm persons are licensed and inspected through regulations issued under the Health Act. Standards of accommodation that must be met in both municipal and private homes are also set out in the Health Regulations. Institutions which offer accommodation above the first floor for more than ten persons are licensed under the provisions of the Hotels Act that relate to fire prevention. Exemption from municipal taxation for charitable institutions is provided under the Municipal Tax Act.

Other provisions of interest because they affect housing in general are found in the Health Act and in the various municipal acts.

HOUSING

MUNICIPAL HOUSING COMMISSIONS

Under the Municipal Housing Commission Act a municipality may request authority from the Province to establish a housing commission. The functions of such a commission include setting minimum housing standards for a municipality and administering their enforcement, and lending money to property owners for building houses. A commission consists of five ratepayers appointed by the council of a municipality. Municipalities may borrow up to \$5 per capita of their population to finance the activities of a commission.

A loan made by a housing commission to a property owner may cover up to 80 per cent of the cost of building a home,

but may not exceed \$6,000. No loan may be made for a new building consisting of more than three flats or apartments. A commission has the right to determine the rentals for buildings on which it has spent or loaned money. No reference is made in the legislation to the length of time for which a loan may be made, but plans for the repayment of loans are formulated by the commissions.

There is no reference in this or other legislation to housing for the elderly in particular.

PUBLIC HOUSING - PROVINCIAL PARTICIPATION

Provincial participation with the federal Government in public housing projects under Section 36 of the National Housing Act is authorized by the Joint Housing Project Act. The Province is authorized to set up a corporation to enter agreements with the federal Government and to manage housing projects.

PUBLIC HOUSING - MUNICIPAL PARTICIPATION

The Joint Housing Project Act also authorizes cities, towns and villages to enter agreements with the provincial Government to undertake public housing projects. They may borrow money and issue securities for this purpose, and may expropriate land and furnish any municipal services required.

No units specifically designed for elderly persons have been included in public housing projects in New Brunswick.

INSTITUTIONAL ACCOMMODATION

MUNICIPAL HOMES

Municipalities are authorized by the Social Assistance Act, 1960, to operate homes for the care of the needy. These homes provide care for persons of all ages, except those who have children in their care and those who are insane or mentally incompetent. There are at present eight municipal homes in New Brunswick with a total bed capacity of approximately 280.

Municipal homes may be operated by counties, cities, towns or incorporated villages. By-laws governing their operation are made by the councils responsible for them, subject to the approval of the Minister of Youth and Welfare.

Prior to the enactment of the Social Assistance Act municipal homes were operated under the authority of the Municipal Homes Act, now repealed. Under that Act one or more poor districts were established in each county for purposes of supporting the poor. For each district three ratepayers were appointed as municipal home commissioners, with authority to erect and operate a municipal home or to enter agreements with the commissioners of other poor districts for the care of needy persons from their own area in homes operated by these districts. The Social Assistance Act authorizes the transfer of property held by the former municipal home commissioners of any poor district to the municipality in which the district is located. However, if it wishes a municipality may arrange that a home not be transferred, allowing the commissioners to retain responsibility for it. No transfers of municipal homes had taken place at the end of 1960 but it was anticipated that these would occur during 1961.

Joint Municipal Homes

Arrangements that may govern the operation of homes owned by more than one municipality are set out in the Social Assistance Act.

The financing and management of such a home may be vested in all of the municipalities sharing in its ownership, or these may by agreement be made the responsibility of one municipality. Authority to pass by-laws governing a home may also be granted, by agreement, to one municipality; if this is not done it becomes the responsibility of the municipality in which the home is located. In either case by-laws do not come into effect until copies have been delivered to each of the municipalities sharing in the ownership of the home, and they have been approved by the Minister of Health and Social Services.

The costs of constructing and operating a home owned by two or more municipalities are shared by the municipalities.^{1/} Amounts spent for the repayment of debentures issued for the purposes of financing the home are included in the costs. The proportion of these costs borne by each municipality is set out in the agreement under which the home is operated.

^{1/} The costs of transferring a needy person to a municipal home is borne by his municipality of settlement.

Joint homes established prior to the passage of the Social Assistance Act may be exempted from these provisions by resolutions of the municipalities by which they are owned.

Maintenance in Municipal Homes

Needy persons are maintained in municipal homes by the municipality in which they have established settlement. Settlement is gained by residing in a municipality for 12 consecutive months, subject to the condition that is not obtained as a result of time spent in a hospital or a home for the aged or indigent.

Application for maintenance in a municipal home is made to a welfare committee in the municipality in which the applicant resides. Welfare committees consisting of three resident ratepayers are appointed annually by municipal councils for each welfare district in their municipality. These committees are responsible for granting assistance (outdoor relief) as well as providing care in municipal homes.

Provincial Aid

Under the Social Assistance Act the Province reimburse each municipality to the extent of one dollar per capita of its population plus 70 per cent of its expenditures in excess of this amount for social assistance. Expenditures made for the maintenance of needy persons in municipal homes are included for the purposes of this grant.

To be eligible for provincial maintenance payments on behalf of their needy residents, municipal homes must meet minimum standards of care and accommodation set out in regulations under the Health Act. These are outlined below. Provincial control over buildings used as municipal homes is exercised through the Social Assistance Act, under which the approval of the Department of Youth and Welfare is required for the construction, purchase or alteration of a home.

Inspection of Municipal Homes

Municipal homes are inspected by boards of commissioners. A board consists of three persons appointed by the council or councils operating a home; commissioners may be reappointed for more than one term and may be removed from office at any time.

Each board visits and inspects the home for which it is responsible at least four times each year. They report on their inspection to the councils operating the home and

forward a copy of their report to the Department of Youth and Welfare. Also, the Department may request that a board inspect a home at any time and report on its administration and the standard of care provided.

It should be noted that a municipality may, if it wishes, exempt from these requirements a home set up under earlier legislation.

All municipal homes are required to be open at reasonable times for inspection by council members of the municipalities by which they are operated or by persons designated by the Department of Youth and Welfare.

VOLUNTARY HOMES FOR THE AGED

Municipal Grants and Tax Exemptions

County councils are authorized by the Counties Act to make grants to charitable and philanthropic organizations. However, no mention is made of charitable institutions or homes for the aged in particular and no grants are made to voluntary homes at present.

Under the Municipal Tax Act the property of any charitable society or institution is exempt from municipal taxation.

Maintenance in Voluntary Homes

Needy persons requiring care are maintained on voluntary and proprietary homes by the municipality in which they have established settlement. Application for assistance is made to the welfare committee in the municipality in which the applicant resides. The costs of maintenance in homes are included in the expenditures for which municipalities are reimbursed under the Social Assistance Act. The rates that are charged are set by the Homes and approved by the Department of Youth and Welfare.

Licensing and Inspection

The Minister of Health and Social Services is given general power by the Health Act to make rules and regulations governing plumbing, ventilation, sanitation and inspection of public and charitable institutions.

Regulations issued under the Act provide for the licensing and inspection of any private place offering accommodation for more than two aged or infirm persons;

no home may be operated unless it is licensed. The Regulations are administered by the Welfare Branch of the Department of Youth and Welfare.

If the Department is satisfied that a home meets the requirements of the Regulations, a licence is issued upon payment of a \$10 licence fee. The licence, which fixes the maximum number of residents to be accommodated in a home, expires annually on March 31st and is renewable for a fee of \$1. It is not transferable and must be returned if a home ceases to operate or changes location or ownership. The licence must be posted in a conspicuous place on the premises for which it is issued, as must the certificate of inspection issued by the Fire Marshal.

Licensing Procedure. Applications for licences, which are made to the Minister of Health and Social Services, must give the name, address and occupation of the applicant and the name and location of the home. A full description of the type and construction of the home is included with the application, as well as floor plans showing the location of beds and bathroom facilities, entrances and exits for the building and its rooms, ventilation, heating and water supply. Photographs of front and side elevations of the building are also required. Certificates of approval from the Provincial Fire Marshal and from the District Medical Health Officer, a sanitary inspector or the Provincial Sanitary Engineer must be forwarded with each application; the latter certificate must refer to the adequacy of sewage and garbage disposal, water supply and toilet facilities. The written approval of the provincial Town Planning Commission is also required.

Cancellation of Licences. If the operator of a home is guilty of neglect or some illegal act, or if he fails to provide proper care and maintenance or to comply with the Regulations, his licence may be cancelled. However, "proper care and maintenance" are not defined in the Regulations.

Licensing under the Hotels Act. Homes for the aged and alms houses offering sleeping accommodation for more than ten persons above the first floor are licensed in New Brunswick under the Hotels Act, through which fire prevention measures are enforced. The Act is administered by the Provincial Fire Marshal.

Licences are issued by the Provincial Secretary-Treasurer or a person designated by him, for a period of twelve months commencing on the first of May. No fee is charged for a licence.

Application for a licence is made in writing and must include the name of the applicant, the location of the building to be licensed, the number of persons for whom sleeping accommodation is provided on each floor, and such other information as the Provincial Secretary-Treasurer may require. The conditions under which a building will be licensed are outlined below under "Fire Prevention".

The Provincial Secretary-Treasurer may suspend or revoke a licence for such cause as he sees fit. Any person operating a building used for sleeping accommodation without a licence is liable to a fine not exceeding \$100, or imprisonment for not more than three months in default of payment.

Inspection of Homes for the Aged. The Minister of Health and Social Services is authorized to appoint officers to inspect private homes offering accommodation for more than two aged or infirm persons. They may inspect a home or its records or documents at any time. The Regulations also authorize District Medical Health Officers and Public Health Nurses to act as inspectors ex officio, as well as the Provincial Fire Marshal, the Provincial Sanitary Engineer and their Deputies.

Inspection is not mentioned in the Hotels Act. However, when the Fire Marshal or his assistants discover that the Act or Regulations under it have been violated they are to report this to the Provincial Secretary, with any evidence available.

In practice licensed homes are inspected annually or more often if required. Inspections are carried out by representatives of the Department of Youth and Welfare and the Fire Marshal's Office and by the District Medical Health Officers.

STANDARDS IN HOMES FOR THE AGED

Regulations under the Health Act outline standards of care and accommodation to be maintained in both municipal and voluntary or private homes for the aged. Municipal homes must meet these standards as a condition of aid under the Social Assistance Act, and private homes as a prerequisite for licensing.

Physical Standards

As mentioned above, when application is made for a licence for a voluntary or private home, floor plans and a full description of the home must be submitted, along with

certificates of approval from the Provincial Fire Commissioner and the District Health Officer and the written approval of the Town Planning Commission. No structural alterations or additions may be made to a licensed private home without the approval of the Minister of Youth and Welfare.

Bathroom facilities are to be available on each floor of a municipal or private home, with a toilet, hand basin and bath or shower for each six residents.

Each resident must have separate bed, with a good spring and comfortable mattress, as well as reasonable bedroom furnishings. Clean bedding, individual towels and wash cloths must be provided at least once a week or more often if required.

Accommodation

The ceiling height specified for sleeping rooms is at least eight feet, with a minimum of 800 cubic feet in single rooms and 640 cubic feet per resident in multiple accommodation. Ceiling height in excess of nine feet is not considered in computing the cubic space of rooms. Beds are to be placed at least three feet apart and must be located so as to avoid draughts, excessive heat from radiators and other discomforts, and must not block doorways or other exits. Hallways and stairways must be well lighted and the latter must have handrails on both sides. A temperature of at least 70 degrees Fahrenheit must be maintained in all rooms used by residents.

Every home must have a comfortably furnished sitting room large enough for the number of residents accommodated and available to them at all times.

Fire Prevention

As mentioned above, when application is made for a licence for a private home under the Health Act a certificate of approval for the building issued by the Provincial Fire Marshal must be presented.

Residents who are not ambulatory may be accommodated only on the first floor of homes. Ambulatory residents may be placed on the second floor and, with the approval of the Minister, on the third floor if it is equipped with an automatic sprinkler system or has two means of escape in case of fire: these must be approved by the Provincial Fire Marshal. If only one stairway serves the third floor, the

second means of escape may be an outside fire escape. Inside stairways serving the third floor must be enclosed as required by the Fire Marshal. The number that may be accommodated on the third floor of a home is set by the Fire Marshal.

Institutions licensed under the Hotels Act, that is, homes accommodating more than ten persons above the first floor, must meet certain requirements relating to fire protection set out in the Hotels Act. As noted above, all such homes must have two means of exit from the first floor, with an iron staircase leading from each floor above the first. Additional requirements including fire resistant construction, installation of sprinkler and fire alarm systems, and the posting of a watchman, are outlined for institutions accommodating more than 25 persons above the first floor. The requirements which apply to any particular institution depend on its construction and the safety devices with which it is equipped.

The Provincial Fire Marshal may limit the number of persons cared for in an institution if there are an inadequate number of exits or for other reasons. He may also require additional safeguards in buildings which present dangers to the inhabitants or the public.

Personnel

Regulations under the Health Act require a minimum ratio of one staff member to each five residents or fraction thereof in a home. A responsible person must be immediately available to the residents at all times.

Medical Care

No person may be admitted to a home as a resident unless he has been examined by a qualified physician within thirty days immediately preceding his admission. In practice this examination is usually given when an individual enters a home. If a resident of a home develops an acute illness or is injured, the services of a physician must be obtained immediately.

Nutrition

Well-balanced and varied meals of adequate quantity and quality must be served to residents at regular times and reasonable hours; the term "adequate quantity and quality" is not defined in the Regulations. Meals may be served in a dining room or on trays, but in either case the service must be adequate and attractive.

Rules of the Home

The religious beliefs of all residents of a home must be respected at all times. Visiting is to be allowed in homes at all reasonable hours.

Records and Returns

The Regulations specify the information to be included in the records of each resident, which must be kept in a form satisfactory to the Department of Youth and Welfare. When a resident is admitted, his name, previous address and the date of his admission are recorded. Also noted are his place and date of birth, religion, marital status, and the name and address of his family physician and that of his next-of-kin or of persons to be notified in case of emergency. A record is also kept of the medical examination given to each resident on admission to the home.

When a resident leaves or is discharged from a home the date and reason for leaving are recorded as well as his condition on leaving and the forwarding address given by him.

BOARDING HOME CARE

As noted under "Institutional Accommodation", the Regulations issued under the Health Act apply to any private place offering accommodation for more than two aged or infirm persons. Any boarding home accommodating this number of persons is subject to licensing and inspection under these Regulations and must meet the standards of care and accommodation set out in them.

REGULATION OF LODGING HOUSES

The Minister of Health and Social Services may make regulations under the Health Act governing the site, construction, ventilation, lighting and sanitary condition of lodging houses, as well as their inspection and registration. He may also specify the size of rooms and the number of persons to be accommodated in lodging houses and the records to be kept by the operators. No regulations of this kind are in force under the act at present.

ACCOMMODATION IN GENERAL

REGULATION OF BUILDING

The councils of villages and towns are authorized by the Villages Act and the Towns Act to pass by-laws regulating the erection and repair of buildings and their removal at the expense of the owner if they are erected in contravention of municipal by-laws. According to the Towns Act, such by-laws are to be made to provide for the health, security, safety and advantage of the inhabitants.

HEALTH AND SANITATION

If a Medical Health Officer is of the opinion after examining a building that it is so dangerous to life, safety or health as to be unfit for habitation, he is required by the Health Act to inform the District Board of Health. They in turn may order the building to be closed, and no rental contract may be made or continued for it until it has been made fit for habitation.

FIRE PROTECTION

If a town council finds that a building is especially liable to fire because of age or need for repair and if it is situated so as to endanger other buildings, or is so occupied that fire would endanger persons in it, the council may direct the Fire Marshal to order that the building be demolished or repaired. If the owner does not comply, the town may carry out the order at his expense.

LIST OF STATUTES

The Counties Act, R.S.N.B., 1952, c. 44; S.N.B., 1953, c. 25; 1954, c. 30; 1955, c. 36; 1956, c. 27; 1957, c. 28; 1958, c. 28; 1959, c. 36.

The Health Act, R.S.N.B., 1952, c. 102; S.N.B., 1954, c. 43; 1955, c. 51; 1956, c. 38.

The Hotels Act, R.S.N.B., 1952, c. 106; S.N.B., 1955, c. 53; 1959, c. 51.

The Housing Commission Act, R.S.N.B., 1952, c. 107.

The Joint Housing Project Act, R.S.N.B., 1952, c. 117; S.N.B., 1954, c. 48.

The Municipal Tax Act, S.N.B., 1955, c. 14; 1956, c. 20; 1957, c. 22; 1958, c. 20; 1959, c. 24.

The Parents Maintenance Act, R.S.N.B., 1952, c. 166.

The Social Assistance Act, S.N.B., 1960, c. 9.

The Towns Act, R.S.N.B., 1952, c. 234; S.N.B. 1953, c. 25; 1954, c. 86; 1955, c. 78; 1956, c. 66; 1957, c. 65; 1958, c. 57; 1959, c. 75.

The Villages Act, R.S.N.B., 1952, c. 242; S.N.B., 1953, c. 25; 1954, c. 87; 1956, c. 68; 1959, c. 77.

Regulations

The Health Act - O.C. 57-948 - New Brunswick Gazette, 8 Oct., 1958.

The Health Act - O.C. 58-1017 - amending 57/948 - New Brunswick Gazette, 7 Jan., 1959.

The Health Act - O.C. 59-470 - amending 57/948 - New Brunswick Gazette, 19 August, 1959.

The Health Act - O.C. 60-892 - New Brunswick Gazette, 28 Sept., 1960.

The Social Assistance Act - Regulations, Part II.

7. QUEBEC

Housing

Grants to Housing for the Aged
Aid to Limited-dividend Companies
Assistance for Housing in General
Municipal Tax Exemptions

Institutional Accommodation

Provincial Homes
Municipal Homes
Financing Voluntary Homes
Supervision and Inspection of Institutions
Standards in Homes for the Aged

Lodging House Accommodation

Provincial Supervision
Municipal Supervision

Accommodation in General

Standards of Accommodation
Health and Sanitation
Fire Protection

List of Statutes

Q U E B E C

Direct aid to housing for the elderly is available in Quebec under the Homes for the Aged Act, 1958. Through this statute housing projects and homes for the aged may be erected and maintained by the province, and capital and maintenance grants may be made to societies or corporations undertaking such projects.

Municipalities are authorized by the Dwelling House Construction Companies Act to guarantee loans made to limited-dividend companies for housing in general. Such measures as rent reduction funds and assistance in meeting interest payments on mortgages, also aimed at encouraging the construction of housing in general, are included in the Act to Grant Municipalities Special Powers to Remedy the Housing Shortage and the Act to Improve Housing Conditions. These measures may also be applied to housing for the aged.

Homes for the aged in Quebec are operated entirely under voluntary auspices, predominantly by religious communities or denominations. In addition to the aid available under the Homes for the Aged Act, charitable institutions are assisted through the Quebec Public Charities Act. Under this statute provincial contributions are made for interest and sinking fund payments on loans contracted by charitable institutions, and a portion of the costs of maintaining indigents in them are borne by the province.

Exemption of charitable institutions from municipal property taxes is permitted by the Cities and Towns Act. Provincial supervision and inspection of charitable institutions is authorized by the Quebec Public Charities Act, while standards of care and accommodation are included in the Public Health Regulations.

Reference to the supervision and regulation of lodging houses is made in three statutes, the Hotel Inspection Act, the Public Buildings Safety Act and the Public Buildings Municipal Regulation Act. Clauses relating to housing in general are found in the Cities and Towns Act, the Public Health Act, and the Fire Prevention Act.

HOUSING

GRANTS TO HOUSING FOR THE AGED

Housing projects for the aged are assisted under the Homes for the Aged Act, 1958. The purpose of this Act, as stated, is to encourage the construction of housing or

institutional accommodation near their own communities for aged couples who are homeless or who are unable to keep house. It authorizes the government to appropriate \$15 million for the construction and maintenance of homes and housing projects. The province itself may erect and furnish projects, or it may make grants on such conditions as it determines and enter agreements for this purpose with persons, societies and public or private corporations.

The Act is administered by the Department of Family and Social Welfare.

AID TO LIMITED-DIVIDEND COMPANIES

Limited-dividend companies building houses to be rented for a moderate price may have the principal and interest on their loans guaranteed by municipalities under the Dwelling House Construction Companies Act. A guaranteed loan may not exceed 85 per cent of the value of a project and no dividend in excess of six per cent annually may be paid on the capital stock of the sponsoring company. The municipality granting a guarantee is authorized by the Act to appoint a member to the company's board of directors and the books of the company must at all times be open for inspection to a representative of the municipal council. The interests of the municipality in the property for which a guarantee is granted must be protected by a form of deed or mortgage.

ASSISTANCE FOR HOUSING IN GENERAL

Two statutes, the aim of which is to encourage the provision of low cost housing in general are of interest in considering housing for the elderly. The Act to Grant Municipalities Special Powers to Remedy the Housing Shortage authorizes municipalities to enter agreements with other governments or with companies for the establishment of rent reduction funds to assist low-salaried people in finding suitable accommodation. Such agreements are subject to the prior approval of the Quebec Municipal Commission.

Municipalities may encourage building of new homes by preparing and granting land at a nominal price to co-operative building societies, by allowing tax reductions and by installing municipal services wholly or partially at their own expense. Single dwellings for which assistance has been granted may not be sold without the permission of the municipality.

Those able to purchase their own homes may also benefit under the Act to Improve Housing Conditions through which, under certain conditions, the provincial Government may guarantee and pay a portion of the interest in excess of two per cent on loans made for new dwellings.

MUNICIPAL TAX EXEMPTIONS

Under the Municipal Tax Exemption Act the Lieutenant-Governor in Council could formerly authorize any municipality to fulfil the conditions required for a project to be constructed in accordance with Section 14 of the National Housing Act, 1938. Section 14, which has been replaced by Section 16 of the National Housing Act, 1954, provided for loans to local housing authorities, including limited-dividend companies, if their project had been approved by a municipality, and the municipality had agreed that all taxes on the project would not exceed one per cent of construction costs, with no taxes levied on income. However, these conditions are not included in the new National Housing Act and the Municipal Tax Exemption Act has not been amended accordingly.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES

Until very recently there were no provincially operated homes for the aged in Quebec. However, in addition to making grants, the province was authorized by the Homes for the Aged Act, 1958, to erect, furnish and maintain homes for the aged. In September 1960, ten such homes with a total capacity of almost 1,400 beds were under construction or contracts had been entered into for their construction.

MUNICIPAL HOMES

While there are no municipal homes for the aged in the province, municipalities are authorized by the Quebec Public Charities Act to establish and maintain homes or institutions for the care of their needy residents. This provision extends to counties and to local municipalities incorporated under general acts or special charters. If they wish, two or more municipalities may co-operate in setting up a home. By-laws governing the establishment of homes must be submitted to the

Lieutenant-Governor in Council, who may then issue a permit authorizing such action. Municipal homes are to be administered by local or county councils or by persons whom they designate, subject to the supervision of the Department of Family and Social Welfare.

Cities and towns are also authorized by the Cities and Towns Act to establish and maintain houses of refuge and other establishments for the support and relief of the needy.

FINANCING VOLUNTARY HOMES

Provincial Capital Grants

As noted above, grants may be made for the construction, furnishing and maintenance of homes for the aged under the Homes for the Aged Act, 1958. The Act states that the purpose of such homes is to provide accommodation as close as possible to their own communities for aged couples who are homeless or unable to keep house because of "lack of the necessary assistance".

The Province may make such grants to persons, societies, or corporations and may enter agreements with them governing the establishment, furnishing and administration of homes. Administration of the Act is the responsibility of the Department of Family and Social Welfare; grants are to be paid under conditions set by the Lieutenant-Governor in Council.

Up to September, 1960, grants had been made or approved for the construction or enlargement of six homes owned by religious orders or lay corporations, with a total capacity of 340 beds. The grants represented varying proportions of the total costs of construction.

The Quebec Public Charities Act authorizes the Lieutenant-Governor in Council acting on the recommendation of the Public Charities Service to pay any charitable institution the amount it requires annually for interest and sinking fund payments on loans contracted for purposes of public assistance. These payments may be made for any necessary number of years.

Maintenance of the Needy

Through the Quebec Public Charities Act, indigent older persons may be cared for in public charitable institutions, including homes for the aged, with the provincial Government

and the institution that provides the care sharing the costs of maintenance. Two thirds of the costs of maintenance are borne by the Province; the municipalities no longer share in these costs. Payments may also be made under the Act for persons maintained in supervised boarding houses and in nursing homes.

Provincial payments are based upon per diem rates set by the Lieutenant-Governor in Council. The maximum provincial payment is now set at \$2.20 per day for adults who can look after their own personal needs, and \$3.00 per day for those requiring occasional supervision because of their state of health. Higher rates are set for totally disabled persons requiring medical supervision.

Application for assistance is made on a prescribed form to the Social Assistance Services in the Department of Family and Social Welfare. If a person is unable to apply on his own behalf, application may be made by another responsible person or by the institution to which he is admitted. When admission is to a home not recognized as a public charitable institution, such as a supervised boarding home, application may be made by the welfare organization responsible for the person requiring assistance. An application must be accompanied by an authorization to verify the amount of the applicant's income and assets, and by a medical certificate if the application is made because of illness.

In setting the amount of assistance the income and assets of the applicant are considered as well as any other support to which he may be entitled by law. Recipients of aid are permitted to retain a small portion of their incomes for personal expenses.

In cases of urgency an institution may admit a needy person even though all formalities have not be completed, provided that they will be carried out later. In such cases, an application must be forwarded to the Social Assistance Services within 15 days of the date of admission.

The cost of transferring any indigent older person from a municipality to a public charitable institution, from an institution to his municipality of residence, or from one institution to another, is paid by his municipality of residence.

Municipal Grants

Under the Cities and Towns Act, a city or town council may subsidize charitable institutions established in the municipality or elsewhere in the Province. However, the Act

requires that the amount which a municipality appropriates for this and other activities, which include recreation, youth training and cultural activity, may not exceed a proportion of the annual municipal budget previously approved by the Minister of Municipal Affairs and the Quebec Municipal Commission. Such approval is valid as long as it is not revoked or modified.

Municipal Tax Exemptions

Property which belongs to or is occupied by a charitable institution and is not owned solely for revenue purposes is exempted from municipal taxation under the Cities and Towns Act. However, this exemption does not extend to taxes for street maintenance, public lighting or purchase of fire fighting equipment.

Through the Municipal Tax Exemption Act, charitable associations registered under the Quebec Insurance Act may not be required to pay business taxes or municipal licence fees in lieu thereof unless they have extended their work to some other branch or activity. Charitable associations to which the Insurance Act applies include those established to assist persons affected by sickness, accident, or reverses of fortune, through voluntary contributions or subscriptions from their members or the public. These associations must be strictly charitable, having no capital stock and operating without profit. The Act does not state if institutions are included in the definition of a charitable association.

SUPERVISION AND INSPECTION OF INSTITUTIONS

The Lieutenant-Governor in Council on the recommendation of the Minister of Health may make regulations under Public Health Act to ensure that sanitary conditions are maintained in charitable institutions. Health regulations governing hospitals, nursing homes and institutions in which persons of advanced age are treated or lodged for remuneration are set out in Chapter 10 of the Provincial Health Regulations, which also set out standards to be maintained in the homes.

Supervision of Public Charitable Institutions

Institutions receiving provincial maintenance grants under the Quebec Public Charities Act on behalf of their needy residents must be provincially approved as public charitable institutions. A charitable institution is defined in the Act as one "which gratuitously admits, keeps, cares for, hospitalizes or assists needy persons, and which is

recognized as such by the Lieutenant-Governor in Council". The latter is authorized to make regulations under the Act. In the application of these, however, the rights of bishops over religious communities of the Catholic faith, and the religious, moral and disciplinary interests of such communities may not be prejudiced. The Quebec Public Charities Act as it applies to homes for the aged is administered by the Public Charities Service. The Lieutenant-Governor in Council, on the recommendation of the Public Charities Service determines which institutions are to appear in the list of recognized public charitable institutions published annually in the Provincial Gazette. It should be noted that the Public Charities Service is divided into three branches and includes the branch of the same name in the Department of Health, and the Social Allowances Commission and the Social Assistance Services in the Department of Family and Social Welfare.

In preparing its recommendation for or against approval, the Service inquires into the merits of the work of each institution, its nature, aims and purposes, and the manner in which it disposes of subsidies received. The institutions, on the other hand, must supply the Department with any information considered necessary to ascertain their "existing situation". Failure to do so may result in a cancellation of aid.

Inspection of Institutions

Public charitable institutions are required to allow the Minister of Health or of Family and Social Welfare, or any person authorized by them, to enter any part of an institution set aside for the care of needy. The homes are inspected at least once each year with the majority of the inspections being conducted by the medical officers of the Department of Health.

Public charitable institutions are also inspected by the inspector of industrial establishments acting under the Public Buildings Safety Act, to assure safety against fire and other hazards.

The Provincial Board of Health has general powers under the Public Health Act to make sanitary inspections of all buildings.

Control of Municipal Homes

As noted above, a municipality wishing to operate a public charitable institution would be required to do so subject to the supervision of the Family and Social Welfare

Department and under a permit issued by the Lieutenant-Governor in Council. The permit would be subject to cancellation upon the request of the municipality or for any other reason that the Lieutenant-Governor in Council might deem sufficient.

STANDARDS IN HOMES FOR THE AGED

Homes for the aged must meet the requirements set out in Chapter 7 of the Provincial Health Regulations, which apply to dwellings in general. These regulations govern a variety of things including location of buildings on lots, height of buildings, lighting of rooms and installation of plumbing. They also require conformance with municipal building by-laws.

Homes for the aged must also meet standards in Chapter 10 of the Health Regulations; these are outlined below.

Plans and Specifications

The Regulations require any person or corporation planning to operate an institution or home for the aged to submit plans and specifications to the Minister of Health for his approval before beginning construction or operation.

Accommodation

All rooms occupied by residents of a home must be above street level and must have windows which open to the outside and which have an area equal to at least one sixth of the floor area. There must be at least 1,000 cubic feet of air space for each resident.

Every resident must have an individual bed and bed clothes must be changed at least every week, every time they are dampened or soiled, or every time the occupant of the bed changes.

Every institution which admits more than ten persons must have a central heating system.

Sanitation

Under the Health Regulations, provincial health by-laws relating to drinking water, drainage, piping, water closets, cesspools and the protection of walls from dampness apply to institutions for the aged. By-laws relating to the sanitation of public places also apply in their entirety. Regulations relating to

well-water, sewers and sanitation in public places are now in effect under the Health Act. The latter includes requirements governing cleanliness in kitchens.

Dry-sweeping and the use of wallpaper in institutions are forbidden.

Fire Prevention

As noted above, public charitable institutions are inspected for fire safety by the inspector of industrial establishments acting under the Public Buildings Safety Act. Under the Act, the head of an institution is required to instruct its occupants on the use of fire extinguishers and on action to be taken in case of fire. Fire drill is to be practiced from time to time. Special instructions covering action in case of fire or panic are issued to directors of institutions admitting aged persons.

Institutions having at least 50 occupied rooms are required to have stairways and passages lighted throughout the night, with safety exits indicated by coloured lights. They must also have fire alarms and have instructions on the use of fire extinguishers and directions to exits posted in each room. The inspector may also require such institutions to have a night watchman.

Health and Medical Care

Institutions subject to the Regulations must have a licensed physician available to serve their residents.

All persons working in institutions must be vaccinated against smallpox, typhoid and paratyphoid fever and be immunized against diphtheria. At the time of employment they must undergo a complete medical, clinical, X-ray and bacteriological examination to establish freedom from infectious or contagious diseases.

Records and Returns

All institutions are required by the Public Health Regulations to keep a register of persons for whose care a charge is made. The register must show the date of admission and departure for each resident and his age and address. It may be examined at any time by a representative of the Department of Health.

Homes for the aged recognized as public charitable institutions under the Quebec Public Charities Act must

maintain a register of needy residents showing the name, occupation, age, place of residence and date of admission of each, as well as the names and addresses of those who applied for his admission and the name of the physician, if any, who has certified his state of health. The Social Assistance Services may, when it deems necessary, have access to the register and to all documents relating to needy residents.

Charitable institutions aided under the Quebec Public Charities Act are required to send statements relating to needy persons maintained with public support to the Social Assistance Services. The statement must show the name of each indigent, the date of his admission and his discharge, if any, the number of days care received and the amount due from the Province for his care.

The Treasury Department Act requires every institution receiving a public grant or subsidy to provide the Department of Finance with a full report on its condition, management and progress, before July 31st each year. The report is made in a form prescribed by the Lieutenant-Governor in Council. Institutions must also make any statistical reports that the Province may require from time to time.

This Act also requires all publicly supported institutions to forward their accounts to the Provincial Treasurer for auditing each quarter, or oftener if he deems it expedient. The Provincial Treasurer may suspend all further grants until any omission or irregularity in accounts or vouchers has been corrected. Quarterly accounts and annual returns, may be forwarded to some specified department other than Treasury, if the Lieutenant-Governor in Council so directs; accounts of public charitable institutions are sent to the Social Assistance Services.

LODGING HOUSE ACCOMMODATION

PROVINCIAL SUPERVISION

Requirements affecting rooming houses of ten or more rooms, as well as refuges, and convalescent or rest homes are found in the Public Buildings Safety Act. This statute authorizes the Lieutenant-Governor in Council to make regulations governing the construction of such buildings and the precautions to be taken against fire in them. No public building may be built or altered unless plans and specifications have been examined and a permit issued by the inspector of industrial establishments, who acts under this statute.

MUNICIPAL SUPERVISION

Under the Public Buildings Municipal Regulation Act a city or town may pass by-laws relating to the construction and furnishing of public buildings located in it, including convalescent and rest homes, and rooming houses with ten or more rooms. It may also appoint commissions to supervise the construction and interior arrangement of public buildings.

Municipalities governed by the Cities and Towns Act may pass by-laws to regulate lodging, and apartment houses to prevent their overcrowding and may require that plans for such buildings be submitted to the municipal health authority for approval.

ACCOMMODATION IN GENERAL

STANDARDS OF ACCOMMODATION

Dwelling accommodation in general is subject to provincial requirements contained in several statutes and in regulations under them. Chapter 7 of the Public Health Regulations which governs "dwellings in general", sets out standards relating to lighting, ventilation, sanitary facilities, plumbing, the location of buildings, and materials used in construction. It also governs the height of rooms, and air space per person. Plans and specifications for any dwelling must, under Regulations, conform to existing by-laws in the municipality in which it is built.

Under the Cities and Towns Act, city or town councils may make by-laws respecting the construction, location, and inspection of houses and other buildings.

HEALTH AND SANITATION

Authority to make regulations governing sanitary conditions in houses and to inspect premises and remove or correct unsanitary conditions are granted to provincial and municipal health authorities by the Public Health Act. Members, or employees of the Provincial Board of Health or of municipal sanitary authorities may enter any building for inspection purposes. The Act also requires municipal by-laws relating to the construction of buildings to be submitted to the Minister of Public Health, who approves any of their provisions that govern sanitary conditions.

FIRE PROTECTION

The Fire Prevention Act authorizes the provincial Fire Commissioner or his officers and local fire chiefs to enter any building and to order the removal or correction of any condition that might cause fire.

Requirements relating to fire prevention devices in public buildings are contained in the Public Buildings Safety Act.

Local Councils may pass by-laws under the Cities and Towns Act to protect the lives and property of inhabitants and to prevent accidents by fire. The by-laws require owners or lessees of houses or other buildings to provide efficient fire escapes and appliances for protecting against and extinguishing fires. They may also provide for the periodic inspection of hotels, hospitals or other buildings.

LIST OF STATUTES

An Act to Grant Municipalities Special Powers to Remedy the Housing Shortages. S.Q. 1948, c. 7; 1949 c. 10; 1950-51, c. 12; 1952-53, c. 8; 1954-55, c. 5; 1955-56, c. 45; 1957-58, c. 5.

An Act to Improve Housing Conditions. S.Q. 1948, c. 6; 1949, c. 9; 1950-51, c. 11; 1951-52, c. 10; 1952-53, c. 7; 1953-54, c. 7; 1954-55, c. 4; 1955-56, c. 9; 1957-58, c. 4; 1959-60, c. 66.

The Bureau of Statistics Act. R.S.Q. 1941, c. 247; S.Q. 1943, c. 39.

The Cities and Towns Act, R.S.Q. 1941, c. 233; S.Q. 1942, c. 57; 1943, c. 37; 1944, c. 39; 1945, cc. 52, 53; 1947, c. 59; 1948, c. 29; 1949, cc. 18, 59, 60; 1950, cc. 22, 35, 66; 1950-51, cc. 59, 60; 1951-52, c. 51, 52; 1952-53, cc. 22, 36; 1953-54, c. 32; 1954-55, c. 35; 1955-56, cc. 15, 41; 1956-57, c. 36, 37; 1957-58, cc. 36, 37; 1958-59, c. 19; 1959-60, c. 76.

The Civil Code - Articles, 166-169.

The Dwelling House Construction Companies Act R.S.Q. 1941, c. 241; S.Q. 1944, c. 32.

The Home for the Aged Act, S.Q. 1958, c. 6.

The Hotel Inspection Act, R.S.Q. 1941, c. 251; 1943, c. 39; 1944, c. 40.

The Fire Prevention Act. R.S.Q. 1941, c. 151; S.Q. 1950, c. 30; 1952-53, c. 14; 1954-55, c. 34; 1955-56, c. 6; 1957-58, c. 17; 1959-60, c. 70.

The Municipal Tax Exemption Act. R.S.Q. 1941, c. 221; S.Q. 1942, c. 27; 1944, c. 37; 1947, c. 33; 1950-51, c. 38; 1952-53, c. 51; 1954-55, c. 40; 1956-57, c. 46.

The Public Buildings Municipal Regulation Act. R.S.Q. 1941, c. 237.

The Public Buildings Safety Act. R.S.Q. 1941, c. 170; S.Q. 1942, c. 47.

The Quebec Public Charities Act. R.S.Q. 1941, c. 187; S.Q. 1944, c. 32; 1945, c. 47; 1950, c. 10; 1951-52, c. 9; 1953-54, c. 54; 1955-56, c. 61; 1956-57, c. 8; 1957-58, c. 9; 1958-59, c. 27; 1959-60, c. 73.

The Quebec Public Health Act, R.S.Q. 1941, c. 183; S.Q. 1944, c. 32; 1951-52, c. 46; 1953-54, c. 53; 1955-56, c. 36.

The Treasury Department Act, R.S.Q. 1941, c. 71; S.Q. 1945, c. 28; 1947, c. 72; 1950, c. 34; 1952-53, c. 44; 1954-55, c. 31; 1955-56, c. 46; 1956-57, c. 32; 1958-59, c. 29.

Regulations

Provincial Health Regulations. Ch. 7. - Of Dwellings in General.

Provincial Health Regulations. Ch. 10. - Hospital Buildings and Duties of Persons who assume Care of a Child.

Regulations under the Quebec Public Charities Act, May, 1958.

Order-in-Council 1960-474, 30 March 1960 - Assistance Rates in Institutions.

8. ONTARIO

Housing

Provincial Assistance to Low-Rental Housing Projects
Provincial Participation in Public Housing
Municipal Participation in Public Housing
Other Provincial Aid
Municipal Assistance to Housing

Institutional Accommodation

Provincial Homes
Municipal Homes
Voluntary Institutions
Financing Homes for the Aged
Maintenance of Needy Persons in Homes
Eligibility for Care
Licensing and Inspection of Homes for the Aged
Provincial Consultative and Advisory Services
Administration of Homes for the Aged
Standards in Homes for the Aged

Municipal Boarding Home Programs

Lodging House Accommodation

Lodgings for Aged and Infirm Persons
Inspection of Lodging Houses
Licensing of Lodging Houses

Living Accommodation in General

Building Standards
Inspection of Living Accommodation

List of Statutes

ONTARIO

Low-rental housing for the aged in Ontario is assisted through The Elderly Persons Housing Aid Act, 1952. Under this Act capital grants are made by the Province to limited-dividend housing companies receiving loans under Section 16 of the National Housing Act. Provincial and municipal participation in public housing projects under Section 36 of the National Housing Act is authorized by the provincial Housing Development Act. This Act is also of interest since it authorizes municipalities to participate in and offer financial assistance to privately sponsored housing projects, and to make grants of land to them.

Institutional accommodation is governed mainly by two statutes, The Homes for the Aged Act, 1955, and The Charitable Institutions Act, 1956. The former requires certain municipalities to establish public homes for the care of their aged and infirm residents and authorizes provincial capital, operating and maintenance grants to these homes; regulations under the Act outline the standards of accommodation and care to be maintained. Provincial supervision of private institutions operated by charitable organizations is provided through The Charitable Institutions Act, 1956, under which financial assistance is made available to the institutions towards costs of construction as well as to assist with operating and maintenance costs. Standards which must be met as a condition of provincial aid are set out in the Regulations under the Act.

General powers relating to the regulation, supervision and inspection of welfare institutions are also found in The Department of Public Welfare Act, The Public Health Act and The Municipal Act.

Supervised programs of special home care in private dwellings may be established by municipalities under The Homes for the Aged Act, 1955, as an alternative to institutional care for their elderly residents.

Provisions relating to the supervision, inspection and licensing of lodging houses are found in The Public Health Act and The Municipal Act; these Acts are also of interest since they relate to living accommodation in general.

HOUSING

PROVINCIAL ASSISTANCE TO LOW-RENTAL HOUSING PROJECTS

Eligibility for Assistance

Through The Elderly Persons Housing Aid Act, 1952, administered by the Homes for the Aged Branch of the Department of Public Welfare, aid is granted to limited-dividend housing

companies for the construction and equipping of low-rental housing accommodation for older people. To receive such assistance, a company must have been incorporated by or on behalf of a municipality or have been approved by one and must have had a loan from Central Mortgage and Housing Corporation under Section 16 of the National Housing Act.

Extent of Grant

The provincial grant amounts to \$500 for each dwelling unit in a project or 50 per cent of the capital cost of the project exclusive of the portion financed by a loan under the National Housing Act, whichever is the lesser. If, therefore, a corporation received a loan from Central Mortgage and Housing Corporation covering 90 per cent of the value of its project, which is the maximum allowed by the National Housing Act, it would be eligible to receive a provincial grant of \$500 per unit or five per cent of the total cost, whichever was the lesser. The effect of the provincial grant is to assist corporations by providing them with a portion of the initial capital which they require to obtain a loan under the National Housing Act.

Procedure in Making Grants

To receive assistance under the provincial Act a corporation must file with the Branch two copies of the site plan of its project showing the location of buildings, and two copies of the plans and specifications. The latter must be prepared by an architect and show the way in which the buildings are constructed and equipped, and the number and arrangement of dwelling units in each. Application for assistance is made in a prescribed form, in which the number of units and the estimated costs of building and equipping the project are stated, the plans for financing it are outlined, and an estimated date of completion is given.

The provincial grant is paid when the project is completed and ready for occupancy. The request for payment must be accompanied by an architect's certificate stating that the project has been completed in accordance with the plans submitted and giving the costs of construction and equipment.

PROVINCIAL PARTICIPATION IN PUBLIC HOUSING

Under The Ontario Housing Development Act the Department of Planning and Development is authorized to enter agreements with the federal Government respecting joint housing projects as contemplated in Section 36 of the National Housing Act. Units specifically designed for elderly persons have been included in at least two public housing projects in Ontario.

As noted in Chapter 1, public housing projects may be of two kinds, subsidized and full recovery. In subsidized housing rents are related to the income of the tenant and the size of his family while in full recovery projects rents are set at the level high enough to cover costs of operation and provide for the recovery of construction costs over a fixed period. In Ontario the Province pays 25% of the costs of constructing the former, with the federal Government paying the balance; deficits arising from the operation of such projects are shared in the same way. For full recovery projects the Province pays $17\frac{1}{2}$ per cent of construction cost, with the municipality in which the housing is located contributing $7\frac{1}{2}$ per cent.

The Minister of Planning and Development may purchase or expropriate land for the purposes of public housing projects and may set up housing authorities to carry out the terms of agreements, including the planning, construction and management of projects.

The Province may also pay an annual sum in lieu of taxes to any municipality which exempts lands acquired for joint projects from taxation. It may also enter agreements with any private corporation whereby the latter will contribute funds to a housing project.

MUNICIPAL PARTICIPATION IN PUBLIC HOUSING

Municipalities may enter agreements with the provincial Government and with Central Mortgage and Housing Corporation covering public housing projects.

The Housing Development Act grants them all the powers necessary to carry out the provisions of such agreements. They may incur continuing obligations, may contribute funds to or spend funds upon housing projects, and may issue debentures for these purposes.

OTHER PROVINCIAL AID

The Housing Development Act authorizes the Province to make grants in aid of private building developments, and to guarantee loans made by authorized lending corporations to persons constructing housing accommodation. It may also advance or guarantee funds advanced to building development corporations, including municipal housing authorities.

MUNICIPAL ASSISTANCE TO HOUSING

Financial Aid

With provincial approval a municipality may advance funds to any provincially approved building development corporation, or may guarantee funds so advanced. They may also make agreements with any person or governmental authority for sharing or contributing to the capital or maintenance costs of a housing project.

Grants of Land

With the approval of the Department of Planning and Development municipalities may acquire and hold land for housing purposes and may sell, lease or otherwise dispose of it for a nominal consideration to any person or governmental authority constructing a housing project. A municipality may also clear or otherwise prepare land for housing development.

Home Improvement Grants

Through The Municipal Act the council of any city with a population of not less than 300,000 may, on behalf of an indigent inhabitant, pay up to \$200 for repairs necessary to make a dwelling habitable.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES

In Ontario there are no homes for the aged operated directly by the provincial Government.

MUNICIPAL HOMES

Public homes for the aged are established and maintained by local authorities in cities, counties and territorial districts, in accordance with The Homes for the Aged Act, 1955, administered by the Homes for the Aged Branch of the Department of Public Welfare.

The Act requires every county and all cities or separated towns,^{1/} except those in territorial districts, to provide for the care of their older residents in a home for the aged. They

^{1/} A separated town is one which is separated for municipal purposes from the county in which it is located.

may do this by establishing and maintaining a home or by entering into an agreement with one or more other municipalities to establish a joint home. Alternatively, a municipality that does not maintain or participate in a home may, with the written approval of the Minister of Public Welfare, arrange by agreement for care of its residents in a home.

Although the establishment of homes for the aged in territorial districts is not mandatory, the Act provides that, if a by-law authorizing the establishment of a home is passed by a majority of the local municipalities in a district, then all of them must contribute to its establishment and maintenance.^{1/} Such homes are referred to as district homes for the aged.

For the purposes of the Act any territorial district may be divided into two parts, after which each part is considered as a separate district.

A city, town or township that is in a territorial district and has a population of not less than 15,000 may, if it wishes, establish its own home with the written approval of the Minister. It may also agree with other municipalities in the District to establish and maintain a joint home. A municipality contributing to a home of this kind is not required to assist in the financing of a district home.

Municipalities in territorial district which do not maintain or contribute to the maintenance of a home may, with the written approval of the Minister, arrange for the admission and care of their residents in homes maintained by other jurisdictions.

VOLUNTARY INSTITUTIONS

In Ontario, as in other provinces, voluntary associations including religious denominations, fraternal organizations and welfare agencies play an important role in providing accommodation for older persons in homes for the aged. Many of these homes have been recognized as charitable institutions and are subject to the provisions of The Charitable Institutions Act, 1956.

For the purposes of the Act a charitable institution is "a building maintained and operated by a charitable organization for persons requiring sheltered care." The

^{1/} For the purposes of the Act, municipalities in a territorial district include cities, towns, villages and townships.

Lieutenant-Governor in Council may approve any organization as a charitable organization. The Act does not, however, apply to hospitals under The Public Hospitals Act, private hospitals under The Private Hospitals Act, sanatoria under The Sanatoria for Consumptives Act, or municipal homes for the aged under The Homes for the Aged Act.

FINANCING HOMES FOR THE AGED

Capital Grants to Municipal Homes

When with the approval of the Minister of Public Welfare, a building is acquired, erected or altered for use as a municipal home under The Homes for the Aged Act, a grant not exceeding 50 per cent of the costs involved is paid by the Province. Such grants are also payable for alterations in any of the buildings of a home or in its grounds.

Grants are based on net costs of construction after the refund of federal sales taxes. In computing the amount of the grant the cost of new equipment and furnishings for a home may be included, but not the cost of any land in excess of 15 acres or of any barns or similar outbuildings.

When a new home is built or an addition is made to an existing one, five per cent of the estimated cost may be requested when all structural work below the ground floor is completed, 20 per cent when the roof is on and the building is enclosed, and ten per cent when the interior partitions are installed and finished. Other portions may be paid at other times with the approval of the Minister, with the balance of the 50 per cent being paid when the building is ready for occupancy. When a building is purchased, 50 per cent of any alteration and equipment costs are paid when it is ready for occupancy. Each request for payment must be accompanied by an architect's or an engineer's certificate stating that the construction for which payment is requested has been completed or that the building being purchased is suitable for use as a home.

If a municipal home is built in a territorial district an additional contribution is made by the Province on behalf of those parts of the district which are unorganized territory. This contribution is based on an assessment allowance for the unorganized area, which is arrived at by multiplying the per capita assessment for the organized municipalities in the district by the population of the unorganized portion. A portion of the costs of construction of the home

is then allocated to the unorganized area in the same ratio as its assessment allowance bears to the total assessment of the district. This portion is paid in full by the Province. The total assessment includes the assessments of all municipalities in the district and the assessment allowances for the unorganized parts.

Capital Grants to Charitable Institutions

Capital grants amounting to \$2,500 per bed or 50 per cent of construction costs, whichever is the lesser, are made to voluntary (private) homes for the aged under The Charitable Institutions Act. Grants may be made for new buildings or for additions to existing ones, subject to the approval of the site and plans by the Minister of Public Welfare. The cost of land, equipment and furnishings are included in construction costs for purposes of a grant.

One half of a grant may be paid during construction if a certificate is provided by an architect or professional engineer stating that the building is 50 per cent completed. An application for final payment must be accompanied by the certificate of an auditor stating that all accounts have been paid and all refundable sales tax refunded and also one from an architect or professional engineer stating that the building has been completed in accordance with approved plans.

The Act also provides for grants for acquired buildings that have been approved for use as charitable institutions. These amount to \$750 per bed or 50 per cent of the cost of the building, whichever is the lesser.

Institutions for which a capital grant is made may not be moved, altered, or disposed of without written approval from the Department of Public Welfare.

Maintenance Grants to Municipal Homes

The Province pays 70 per cent of the net operating and maintenance costs of municipal homes for the aged.^{1/} This grant is paid each month to the treasurer of a home. Net operating and maintenance costs include all operational expenditures less revenue received. The latter includes payments from residents, from the Province (for residents of unorganized territory), and from municipalities having an agreement with the home. Also deducted are payments from

^{1/} If the application for a maintenance grant is not made within three months after the first day of the month to which it relates, the grant is reduced to 25 per cent of net costs.

estates and refunds of sales taxes. Included in expenditures are the costs of food, medical and dental services including drugs and medications, expenditures for the welfare of residents including clothing and pocket money, material for recreation and occupational therapy, and funeral and burial expenses. Costs of rent, fuel and other utilities, replacement of furniture and equipment, and salaries and wages are also included. Maintenance costs may also include fees paid to the physician for a home and for medical service provided to the residents. However, these costs may not exceed \$2 per month for each bed in the home at the end of the preceding year if the home maintains a bed-care unit, or \$1.75 per month per bed if the home does not maintain a bed-care unit.

In computing the provincial subsidy the cost of maintaining a farm in connection with a home is not included.

The Province pays the full cost of maintenance for persons who are residents of unorganized territory. Such payments are based on a per diem rate which equals the average gross daily cost of maintaining a person in the home during the previous calendar year.

Maintenance Grants to Charitable Institutions

In all charitable institutions other than those specified in the Regulations as children's institutions the Province pays 75 per cent of the amount paid by the institution for the maintenance of each of its needy residents. The grant is based on "the average daily cost of maintenance", which is the average daily cost of maintaining a resident during the immediately preceding calendar year, up to a maximum of \$3.40 per person.

The grant is computed by multiplying the average daily cost per resident by the number of resident days for which the institution has paid. From this amount is subtracted the amount contributed by or on behalf of the residents in question, including payments on their behalf by municipalities. Also subtracted are additional amounts which the provincial supervisor who inspects charitable institutions decides could have been paid by residents on whose behalf the grant is requested, and also amounts of income retained for personal use by residents for whom a grant is sought, when these are more than 15 per cent of their monthly incomes. A claim may be submitted for amounts paid or payable by or on behalf of a resident, if these have been refunded to residents or are considered non-collectable.

In computing the maintenance grant, a person who is not contributing to his own maintenance may not be included for purposes of the grant if the provincial supervisor determines that he is able to pay part or all of such costs.

The expenditures included in maintenance costs are the same as those outlined above for municipal homes, with the same maximum limits governing medical costs.

Local Financing of Municipal Homes

Subject to the approval of the Ontario Municipal Board, counties, cities and separated towns may issue debentures to meet the costs of acquiring land and constructing, improving, or adding to municipal homes for the aged. The assent of the municipal electors is not required for this.

The cost of establishing a home for the aged in a territorial district is divided among the municipalities of the district in proportion to their latest revised assessments as equalized. Each municipality may then determine the method it will use in raising the sum required. As an alternative, the Ontario Municipal Board may authorize one or more of the municipalities in the district to raise the required money by the issue of debentures. The annual amounts required to pay principal and interest on the debentures are then apportioned among the municipalities of the district according to their latest equalized assessments.

The amounts required to maintain a district home are also met by the municipalities of the district in proportion to their latest equalized assessments and are raised each year through taxation. The assessment rolls of the participating municipalities must be revised and equalized each year by the district assessor, or by the Department of Municipal Affairs if there is no assessor.

Municipal Grants to Charitable Institutions

Municipalities are authorized by The Municipal Act to make grants to any charitable institution. During the fiscal year 1956-57, eight homes operated under The Charitable Institutions Act received municipal grants.

Municipal Tax Exemptions

Properly owned by an incorporated institution organized for the relief of the poor and operated without profit is exempted from municipal taxation under The Assessment Act. To be eligible the institution must be partly supported from public funds and the exempt property must be owned by the institution, and occupied and used for its own purposes.

MAINTENANCE OF NEEDY PERSONS IN HOMES

Admission to municipal homes is not based upon financial need; those who are able to contribute to their own support are required to do so. That portion of the cost which they are not able to meet, together with the total costs of maintaining non-paying residents, are met by the municipalities of residence^{1/} and the Province, as outlined above.

Recipients of Old Age Assistance, Blind and Disabled Persons Allowances and, where necessary, those who receive Old Age Security, are allowed to retain 15 per cent of their cheque as pocket money. Pocket money may also be provided by the Home to non-paying residents.

As noted above, the costs of maintaining any person in a home who before admission was resident in territory without municipal organization are met by the provincial Government. Such payments are based upon a per diem rate which equals the gross average daily cost of maintaining a person in the home.

Homes operated under The Charitable Institutions Act care for elderly persons able to contribute toward their own maintenance and also for indigent persons. Paying residents, with whom each institution makes its own financial arrangements, include recipients of Old Age Security, Old Age Assistance, Blind and Disabled Persons Allowances. Indigent persons may be supported by the institutions in which they reside; as noted above, these in turn receive a maintenance grant from the Province on behalf of their needy residents. Contributions are also made by municipalities for their needy residents maintained in charitable institutions and by the province on behalf of residents of unorganized territory.

Recoveries by Municipalities

Under The Homes for the Aged Act a municipality may recover part or all of his costs of maintenance from a resident of a municipal home. Recovery may be made in any court of competent jurisdiction. If the resident dies, recovery may be made from his estate.

Through The Municipal Act a municipality may take a conveyance of, or a security on any land owned by a destitute person to the extent of the aid that it has granted to that person. If the person dies or surrenders his land to the municipality, the latter may dispose of it and apply the proceeds in payment of the amount advanced.

^{1/} Under The Homes for the Aged Act, a person is deemed to be a resident of the municipality in which he last resided for a period of twelve consecutive months.

ELIGIBILITY FOR CARE

Municipal Homes

Municipal homes are intended for persons over the age of sixty who are unable to support or care for themselves properly or who are bedfast but do not require public hospital care. Persons who are mentally incompetent but ineligible for committal to an institution under The Mental Hospitals Act may also be admitted; and, on approval of the Minister, persons under the age of sixty who cannot be adequately cared for elsewhere.. New homes assisted under the Act are planned so that they will provide segregated sections for residents who are bedridden and those who are mentally confused or senile.

Applicants are admitted to the home supported by their municipality of residence or to the home with which their municipality has an agreement for the admission of its residents. For the purposes of The Homes for the Aged Act a person is deemed a resident of the municipality where he last resided for a period of twelve consecutive months. In determining residence, any period during which the applicant was in a hospital, nursing home, charitable institution or institution for custodial, medical or other care is not counted.

A magistrate may commit a person to a municipal home if he is over 60 years of age and is unable to care for himself. The magistrate determines the municipality of residence of the person committed and must ensure that a medical statement giving his medical record and status, and other information has been completed. A magistrate may rescind any order for committal if in his opinion it is in the interest of the person concerned. The process of committal is rarely used.

Charitable Institutions

Each home, approved under The Charitable Institutions Act is a voluntary institution and thus may establish its own eligibility requirements for admission and payment for care. Such requirements vary according to the auspices of the home and the particular group, if any, it is intended to serve.

LICENSING AND INSPECTION OF HOMES FOR THE AGED

Responsibility for the administration of The Charitable Institutions Act and The Homes for the Aged Act is conferred on the Minister of Public Welfare, both by these Acts and by The Department of Public Welfare Act.

While The Charitable Institutions Act provides for provincial approval of institutions operated by voluntary organizations, there is no legislative provision for licensing of either charitable or municipal homes for the aged.

Regulations under The Homes for the Aged Act set out required standards for municipal homes, and annual inspections of each home are made by provincial supervisors who are representatives of the Department of Public Welfare. The Department must also approve the plans for the construction, purchase or alteration of homes. Each municipality is, of course, directly responsible for the administration of its home.

Authority to declare any voluntary institution a charitable institution, thus rendering it subject to the provisions of The Charitable Institutions Act is granted to the Minister of Public Welfare by The Department of Public Welfare Act. Under The Charitable Institutions Act all such institutions are inspected at least once each year by a provincial supervisor. The supervisor may inspect an institution at any time and may have access to any part of it and all of its records. He inspects accommodation, sanitary facilities, recreation and rehabilitation equipment and fire protection equipment. It is also his duty to appraise the dietary standards of food prepared for residents.

General provincial authority to investigate and inspect institutions is provided by The Department of Public Welfare Act and The Public Health Act. Through the former Act the Minister of Public Welfare may direct that any institution whose object is the social welfare of adults or children be investigated. Under The Public Health Act it is the duty of the Department of Health to inspect charitable and other public institutions in which care is provided at the expense of the resident, at public expense or by private charity. The Department of Health must ensure that such institutions are kept clean and comply with The Public Health Act and its Regulations. No regulations respecting homes for the aged are in effect under the Act at present since these homes are governed by the requirements of The Homes for the Aged Act and The Charitable Institutions Act.

PROVINCIAL CONSULTATIVE AND ADVISORY SERVICES

The Homes for the Aged Branch in the Department of Public Welfare maintains a planning service to assist municipalities and charitable organizations in developing and improving institutional programs fitted to their needs. Long

range planning of facilities, providing for expansion to meet future needs is encouraged. An architect is available for consultation on the planning of new construction. The Branch also provides a consultant in geriatrics to advise on the medical care of residents. Refresher courses covering the care of elderly persons on municipal homes and charitable institutions are held annually by the Branch for the superintendents and staff members of homes and for the Committee and Board members responsible for their administration.

ADMINISTRATION OF HOMES FOR THE AGED

Municipal Homes

The council of a municipality operating a municipal home or the councils operating a joint home appoint a committee of management for the home from among their members. In the case of homes operated by one municipality, a committee must have from three to five members and for joint homes it must have not more than three members from each of the participating municipalities.

The administration of a district home is the responsibility of a board of management appointed by the Lieutenant-Governor in Council and consisting of five persons residing in the territorial district. The board constitutes a corporation in which the home is vested.

Municipal councils and boards of management have authority to enter into agreements with other councils or persons, for the provision of a sewage system, light, heat, power or fire protection.

Charitable Institutions

Charitable institutions are administered under the direction of boards of directors or similar bodies as provided by their constitutions; no reference to their administration is made in The Charitable Institutions Act, but as corporations they are subject to the provisions of The Corporations Act, 1953.

STANDARDS IN HOMES FOR THE AGED

Building and Site

Municipal Homes. Detailed specifications for the building and facilities required for a municipal home are not included in The Homes for the Aged Act or Regulations.

However, no building may be purchased, erected or altered for use as a home until the site and plans for it have been approved by the Minister of Public Welfare. Similarly, there may be no change in the site of a home, no alteration in its buildings or grounds, nor any sale or disposal of it without the approval of the Minister.

Charitable Institutions. A charitable organization may not erect a new building or make an addition to an existing one until the plans have been approved by the Department of Public Welfare. Departmental approval is also required before an existing building may be purchased or otherwise acquired.

Accommodation

Municipal Homes. In approving and supervising the building programs of municipalities under The Homes for the Aged Act, provincial authorities emphasize certain basic standards: that is, segregated rather than congregate care, with accommodation provided in separate areas or wings for those who are mentally confused, senile, or bedfast; separate quarters for married couples; and single-storey construction with a maximum of four beds to a room. These standards are not set out in the legislation but have been referred to in the Annual Reports of the Department.

Charitable Institutions. Regulations under The Charitable Institutions Act require that sleeping accommodation for each resident be in a room with beds so placed that no bed overlaps a window or radiator and no bed is less than two and one-half feet from an adjoining bed at any point.

Toilet and bathing facilities must be readily accessible to all residents of charitable institutions with a minimum of one washbasin and one flush toilet for every five residents and one bathtub or shower for every 12 residents.

Sanitation

The physician of a municipal home must inspect it at least once each month and take any steps necessary to correct unsanitary conditions. In charitable institutions this inspection is made by the provincial supervisor.

Fire Protection

Municipal Homes. The superintendent of a municipal home is responsible for the elimination of fire hazards in the home and for carrying out other fire prevention measures. These include monthly inspections of extinguishers, hoses and stand-pipe equipment, semi-annual inspection of heating equipment and chimneys, and bi-weekly inspection and testing of the fire alarm system. A written record of these inspections

and tests must be kept. A procedure to be followed when a fire alarm is given must be established and the staff and residents instructed in it, with the staff trained in the proper use of the fire extinguishing equipment. Fire drill for the staff must be held once a month. Buildings must be inspected each night to ensure that there is no danger of fire and that doors in stairwells and smoke barriers are closed.

The Homes for the Aged Branch provides inspection and advisory services on fire safety in homes for the aged.

Only safety matches may be issued to residents.

Charitable Institutions. The provisions for fire protection included in Regulations under The Charitable Institutions Act are the same as those for municipal homes, with the exception that those relating to inspection of buildings each night are omitted.

Personnel

Municipal Homes. The superintendent of a municipal home is appointed, subject to approval by the Lieutenant-Governor in Council, by the municipal council or councils, or by the board of management in the case of a district home. He is responsible to the municipality or board for the efficient management and operation of the home. The qualifications for the post are good health; experience in administration; specialized knowledge of, and adequate experience in modern methods of superintending a home; a sympathetic understanding of problems pertaining to a home, and a suitable personality for the position. The superintendent must be bonded to the amount satisfactory to the municipality appointing him. The municipality pays the cost of the bond.

If a home has separate quarters for bedfast residents, the resident nurse must be registered under The Nurses Registration Act.

Other staff members, who are appointed by the municipal council or the board of management, must be qualified to perform their respective duties in the home.

A legally qualified medical practitioner must be designated as the physician for each home by the municipality operating it. The physician is responsible for all medical services and treatment for residents and is required to inspect sanitary conditions in the home at least once a month.

Charitable Institutions. The Regulations under The Charitable Institutions Act require the board of directors of an institution to appoint as superintendent a person who is sympathetic to the welfare of persons in the institution, who has a special knowledge and adequate experience of their needs and who is of suitable age, health and personality.

A board must also appoint competent staff of suitable age and experience to plan and conduct the operation of the institution and attend to a range of duties, including among others, the cooking, sewing, mending, laundering, recreational and rehabilitative duties.

Each institution must have at least one nurse, but unless there are residents requiring bed care it is not necessary for her to be a registered nurse. The board must also appoint one or more physicians to provide medical care to residents of the institution.

Medical Care

Municipal Homes. Each resident and staff member of a municipal home must be given a complete medical examination at least once each year, by the physician for the home; records are kept of the resident's examinations. Prior to appointment, all staff members must also be certified free from communicable or contagious diseases and physically fit to undertake the duties required. The physician of the home attends and treats both residents and staff members.

Charitable Institutions. Before an applicant may be admitted to a charitable institution he must have a complete medical examination and be certified free from communicable disease. If it is necessary to admit a person before these requirements can be fulfilled, he must be kept in isolation until they are completed. Residents must also undergo an annual examination of which a record is kept. Staff members must be examined and have a chest X-ray on appointment and in each year of their employment, and a record of the results must be kept.

Nutrition

Municipal Homes. The Superintendent of a municipal home must ensure that all residents are given sufficient food of good quality and must keep a written record of any special diet that is ordered for a resident by the physician for the home.

No detailed requirements on nutrition are included in Regulations under The Charitable Institutions Act, but the Provincial Supervisor is required to inspect the dietary and appraise the nutritional standards for residents including those on special diets.

Supervision

It is the responsibility of the superintendent of a municipal home or a charitable institution to ensure that adequate supervision is provided at all times for the security and protection of the home and its residents.

Rules of the Home

Municipal Homes. Regulations under The Homes for the Aged Act include three rules to govern the conduct of residents of municipal homes, as follows: A resident shall not leave the home at any time, except with the permission of the Superintendent; residents may smoke only in areas designated by the Superintendent; no resident may have in his possession any liquor as defined in The Liquor Control Act, except on written direction to the Superintendent from the physician for the home.

Charitable Institutions. No requirements relating to rules governing the conduct of residents in institutions are contained in The Charitable Institutions Act or Regulations. However, all by-laws adopted by an organization with respect to its institution must be approved by the Lieutenant-Governor in Council.

Personal Funds and Possessions

Each municipality or board of management of a municipal home, as the case may be, must maintain a trust account in a bank or Ontario Savings office, into which all the funds of residents held for safe-keeping by the superintendent of a municipal home are placed. A resident may request that his money be deposited in the account and that all or part of it be made available to him at any time. A separate account book for each resident is kept by the Superintendent, showing all deposits and withdrawals. Both the superintendent and residents must provide receipts when accepting money for deposit or after withdrawal and the trust account must be audited annually by a chartered or certified public accountant.

A written record is kept of the clothing, valuables and other personal effects brought by a resident to a municipal home or acquired by him from time to time during his stay there.

There is no reference to personal funds and possessions in The Charitable Institutions Act.

Religious Worship

There must be adequate opportunity in every municipal home and charitable institution for residents to participate regularly in religious services.

Employment of Residents

The superintendent of a municipal home is to encourage the residents to engage in household, farm or other work about the home if a qualified medical practitioner has certified that they are physically able to do so.

No mention is made in The Charitable Institutions Act or Regulations about employment of residents in the work of a home.

Recreational and Occupational Programs

Municipal Homes. The superintendent of a municipal home is responsible for the organization of a continuing program of activities, including handicrafts, recreation and entertainment designed to stimulate the interests of residents. The municipality operating the home must provide the equipment necessary for these activities.

A resident may sell any article he makes and retain the proceeds, in accordance with a policy determined by the municipal council or board operating the home.

It is the duty of the superintendent to encourage the participation of volunteer groups and individuals from the community in a program of useful activities for the residents. Also, an adequate supply of appropriate books, periodicals and newspapers must be available to residents.

Charitable Institutions. Charitable institutions are required, where possible, 'to make provision for adequate recreational, rehabilitative and hobby-craft facilities'.

Rehabilitative Services

No specific mention of rehabilitative services other than those above is made in either The Homes for the Aged Act or The Charitable Institutions Act or Regulations.

Reports of the Department of Public Welfare indicate, however, that a number of municipal homes have been successful in rehabilitating long term bedfast patients and in some cases returning residents to the community.

As noted earlier, the costs of materials and supplies for occupational therapy may be included in the costs upon which provincial subsidies to municipal homes are based.

Admission Procedures

Municipal Homes. Before admitting any applicant to a municipal home, the superintendent must receive an authorization for admission in the prescribed form from the municipality in which the applicant resides. He must also receive a completed application from the person to be admitted and a consent signed by him for the inspection of his assets by the municipal or district welfare officer. Also required is a report on the applicant from the municipal welfare officer and a medical report completed by the physician for the home.

The former includes information on the age, sex, place of birth, religion, marital status, and occupation of the applicant, together with a detailed account of his assets and income, including public assistance payments, property owned, investments, and financial contributions received from children or other relatives.

The physician's statement, in addition to giving the applicant's present condition of health, medical record, and indicating the type of care required, includes information on his family background, education, social attitudes, special interests and aptitudes.

The superintendent must ensure that each applicant is interviewed upon admission and that a written record is kept of relevant information. The personal habits of each resident and the kind of care he needs are taken into consideration in allocating accommodation.

Charitable Institutions. Regulations under The Charitable Institutions Act do not set out admission requirements except that each applicant must have a complete medical examination and be certified free from communicable disease before he is admitted.

Discharge Procedures

There are no regulations governing discharge procedure in municipal homes or charitable institutions. However, certain particulars relating to the discharge of a resident must be kept in his record. (See "Records and Returns", below).

Records and Returns

Municipal Homes. A separate file must be maintained for the records and personal documents of each resident of a municipal home. In it is placed a detailed report on his medical history prior to admission and of all physical and mental examinations, illnesses and accidents after admission. Observations on his conduct and behaviour while in the home are included. If he leaves the home the name and address of the person, institution or home to which he goes are noted. In the event of death, the record includes a report on the circumstances of the death and, should any person claim the body, the name and address of that person.

A separate account is kept for each resident showing the amount of charges for his maintenance in the home and the amount paid to the home by him or on his behalf. However, except where another municipality has an agreement with a home, the amounts contributed by a municipality for maintenance of a resident are not included in his record. A record is also kept of the trust account in which the assets of residents are placed.

Each municipal home submits an annual report of its residents in prescribed form to the Department of Public Welfare. This shows the number of paying and nonpaying residents in care at the beginning and end of the year, admissions and re-admissions, discharges and deaths during the year and also the number of residents transferred from one type of care to another. The total number of resident days for the year, the total number of persons in care during the year, the average number of days stay, and the normal bed capacity and additional temporary beds required are also shown.

Municipal homes must also maintain accounts and ledgers showing their revenues and expenditures; these must include a separate record of money received by the home from sources other than provincial grants. The books of the home must be segregated from the other accounts of the municipality and must be audited annually.

If the home operates a farm, a record of the produce purchased from it must be kept, with the home being charged for the produce in accordance with the current monthly wholesale price in the locality.

Financial returns to the Province each month are made when application is made for a maintenance grant. These include a listing of sources of revenue and items of expenditure. The annual financial report also includes these items as well as a computation of the gross daily cost of resident care and a statement of net operating and maintenance costs for the year.

In addition to the above, a yearly inventory of the furnishings and equipment of the home must be taken by someone other than the superintendent or a member of the staff.

Charitable Institutions. Charitable institutions must keep a written record for each of their residents. This must include the resident's prior address and the date and circumstances of his admission, his personal and family history, and the names and addresses of relatives and other interested persons. A record of all physical, X-ray and mental examinations and all illnesses, accidents and admissions to hospital since he entered the institution is included, along with observations on his conduct and behaviour while there and any other developments which might affect his well-being or progress. When a resident leaves the institution, a statement of the date and circumstances of his discharge or withdrawal is recorded as well as the name and address of the person or institution to which he is discharged.

A separate account must be kept for each resident showing charges made for his maintenance and amounts paid by him or on his behalf, other than amounts paid by a municipality.

Each institution must make an annual report of its residents showing admissions, discharges and deaths during the year, numbers in residence at the beginning and end of the year, total days and average length of stay of residents, and normal as well as additional bed capacity.

Regulations require that charitable institutions keep properly audited accounts of revenues and expenditures, with a separate record of money received from provincial grants. These accounts must be audited semi-annually. A report showing revenue sources and items of expense must be forwarded to the Minister of Public Welfare twice each year.

MUNICIPAL BOARDING HOME PROGRAMS

Administration

The Homes for the Aged Act authorizes municipalities to establish and administer 'special-home care' in boarding homes (private dwellings), in conjunction with their municipal or district homes. In cities where there is no municipal home, one or more persons may be appointed by the city council to administer a boarding home program. Ten municipalities now operate special home care programs. Provincial responsibilities relating to these programs are carried out by the Homes for the Aged Branch of the Public Welfare Department.

A boarding home may not accommodate more than five other lodgers or boarders and may not be the residence of a parent or child of the guest.

Eligibility for Care

Any person who is living in a municipal home or who is eligible for admission to one may be placed in an approved boarding home rather than in the institution. Such placements require the approval of the superintendent of the municipal home concerned and the person placed in boarding home is recorded as a resident of the home for the aged, which remains responsible for him and to which he may be transferred at any time.

Maintenance of Persons in Boarding Homes

The costs of maintaining a non-paying guest in a boarding home and any necessary part of the cost of maintaining a paying guest are shared by the Province and the municipality of residence. Rates payable to boarding home proprietors are established by the municipality or municipalities supporting the municipal home or, in the case of a district home, by the board of management responsible for the program.

When the cost of maintaining an aged person in a boarding home is \$75 per month or less, the Province pays 70 per cent of the maintenance costs, less 70 per cent of the amount paid by the person in care, or on his behalf. Where the cost is more than \$75 per month, the provincial share is an amount equal to \$52.50 per month, less 70 per cent of the payments made by or on behalf of the person in care. Payment is made to the municipality or the treasurer of the home responsible for care.

If application for this payment is not made to the Province within three months after the first day of the month to which it relates, the payment is reduced to 25 per cent of the cost of care, less 25 per cent of any payments made by or on behalf of the resident, or \$18.75 per month less 25 per cent of any payments made, whichever is the lesser.

Inspection and Approval of Boarding Homes

A private boarding home in which a person is to be placed for special-home care must be inspected and approved by a municipal authority not more than four months prior to the placement and subsequently at least once every four months. It may be inspected by a provincial representative at any time. Written reports of the inspections are filed in the municipal home with the records of the person under care.

The accounts of a boarding home must be audited annually by auditors appointed by the municipality.

Accommodation in Boarding Homes

Sleeping accommodation must be provided in rooms which are ventilated and lighted by natural light to the satisfaction of the municipal authority. If any bedroom is more than one storey above the ground floor, the floor on which it is located must have two separate and independent exits to the outside. Beds are not to be less than $2\frac{1}{2}$ feet apart at any point and no part of a bed may overlap a window or radiator. The regulations do not specify the number of persons that may be accommodated in one room.

LODGING HOUSE ACCOMMODATION

LODGINGS FOR AGED AND INFIRM PERSONS

The Medical Officer of Health or any inspector employed by a local Board of Health is authorized by The Public Health Act to inspect any housing within a municipality. If in doing this he finds that any premises are used for accommodating aged or infirm persons and payment is made for the accommodation, he may give orders as he considers necessary to ensure that the occupants receive proper care and treatment. If his orders are not carried out he may order that the premises cease to be used for this purpose.

INSPECTION OF LODGING HOUSES

Under The Public Health Act, a medical officer of health or a sanitary inspector may enter a lodging house or tenement if he suspects that it is occupied by more persons than is reasonably safe for the health of the occupants. If he finds that the premises are a danger to the health of the residents or the public he may order that the residents be removed or that the dwelling be improved. In particular, this may be done if sleeping rooms do not provide more than 600 cubic feet of air space per person, or if the premises are unsanitary.

LICENSING OF LODGING HOUSES

The Ontario Municipal Act authorizes the councils of cities, towns, villages and townships to pass by-laws to govern licensing and regulation of lodging houses. Such by-laws may apply to any class of lodging house or to lodging house keepers, and may prohibit the use of licensed premises for any purpose other than that for which the license was issued.

These provisions do not apply to any home licensed under any other general or special act.

LIVING ACCOMMODATION IN GENERAL

BUILDING STANDARDS

Under The Public Health Act the Minister of Health may make regulations prescribing standards for the construction, alteration and equipment of premises to be used as dwellings. He may also make regulations, as deemed necessary, for preventing the overcrowding of such premises. However, no regulations of this kind are in effect at present.

Municipalities are authorized by The Municipal Act to pass by-laws setting building standards.

INSPECTION OF LIVING ACCOMMODATION

The Minister of Health may authorize the inspection of any premises used as dwelling accommodation in areas where conditions exist that are unsanitary or likely to make the inhabitants especially liable to disease. Regulations under The Public Health Act may authorize alteration or removal of any building that, in the opinion of the Health Department, is unfit for use as housing. The Minister is also authorized to regulate the appointment of sanitary inspectors who are to be paid by each municipality for the enforcement of its by-laws and The Public Health Act and Regulations.

Under The Municipal Act, municipal councils may authorize the inspection of sanitary conditions and fire hazards in dwelling accommodation.

LIST OF STATUTES

The Assessment Act R.S.O. 1950, c.24

The Charitable Institutions Act, S.O. 1956, c.6; 1958, c.10; 1959, c.14

The Department of Public Welfare Act, R.S.O. 1950, c.98.

The Elderly Persons Housing Aid Act, S.O. 1952, c.27; 1953, c.32.

The Homes for the Aged Act, S.O. 1955, c.30; 1956, c.30; 1957, c.45; 1958, c.38; 1960 Bill No. 112.

The Housing Development Act, R.S.O. 1950, c.174; 1951, c.37; S.O. 1952, c.39; 1955, c.32; 1957, c.47; 1958, c.40.

The Municipal Act, R.S.O. 1950, c.243; S.O. 1951, c.53; 1952, c.63; 1953, c.70; 1954, cc.56, 57; 1955, c.48; 1956, c.50; 1957, cc.75, 76; 1958, cc.64, 65; 1959, c.62.

The Public Health Act, R.S.O. 1950, c.306; S.O. 1951, c.70; 1952, c.84; 1953, c.87; 1954, c.76; 1955, c.65; 1956, c.71; 1957, c.97; 1959, c.79.

Regulations

Charitable Institutions Act - O.R. 31/57, Ontario Gazette,
Feb. 23, 1957
O.R. 63/57, Ontario Gazette,
Mar. 30, 1957
O.R. 87/57, Ontario Gazette,
Apr. 27, 1957
O.R.286/57, Ontario Gazette,
Jan. 11, 1958
O.R.119/58, Ontario Gazette,
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O.R.199/58, Ontario Gazette,
Aug. 2, 1958
O.R.256/58, Ontario Gazette,
Oct. 18, 1958
O.R.241/59, Ontario Gazette,
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O.R.266/59, Ontario Gazette,
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Charitable Institutions Act - O.R.223/60, Ontario Gazette,
Aug. 20, 1960

Elderly Persons Housing Aid Act-O.R.292/52, Ontario Gazette,
Oct. 11, 1952
O.R.105/53, Ontario Gazette,
July 4, 1953

Homes for the Aged Act - O.R.168/55, Ontario Gazette,
Sept. 3, 1955
O.R. 86/57, Ontario Gazette,
Apr. 27, 1957
O.R.148/58, Ontario Gazette,
June 14, 1958
O.R.186/58, Ontario Gazette,
July 19, 1958
O.R.313/58, Ontario Gazette,
Jan. 10, 1959
O.R.242/59, Ontario Gazette,
Oct. 24, 1959
O.R. 15/60, Ontario Gazette,
Jan. 23, 1960

9. MANITOBA

Housing

Provincial Assistance to Low-Rental Housing

Municipal Housing for the Aged

Municipal Grants to Housing

Financing Public Housing Projects

Institutional Accommodation

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Licensing and Inspection of Institutions

Standards in Institutions

Provincial Licensing and Inspection of Boarding Homes

Regulation of Lodging Houses

Living Accommodation in General

Building Standards

Health and Sanitation

Fire Prevention

List of Statutes

M A N I T O B A

Three statutes are of major importance in the financing of accommodation for the aged in Manitoba.

Provincial capital grants for both housing projects and institutional accommodation are made available to municipalities and municipally approved voluntary organizations under The Elderly Persons Housing Act, 1959. This Act also provides for provincial guarantee of the repayment of loans made for financing accommodation. Municipalities are authorized to provide housing and homes for the aged by The Municipal Act, under which they may also make grants to voluntary organizations providing such accommodation. The costs of maintaining needy older persons in homes for the aged are met under The Social Assistance Act, 1959. The Manitoba Housing Act is of potential importance to accommodation for the aged in that it enables provincial and municipal participation in public housing projects under Section 36 of the National Housing Act.

While there are a few municipal homes, most homes for the aged in Manitoba are operated on a voluntary basis. General supervisory powers over all such institutions are granted to the Department of Health and Public Welfare by The Public Health Act. Private institutions and small boarding homes are licensed and inspected through regulations issued under the Act; these regulations also outline standards of care and accommodation to be maintained in licensed premises. As in other provinces, clauses which apply to living accommodation in general are found in The Municipal Act, The Public Health Act and The Fire Prevention Act.

HOUSING

PROVINCIAL ASSISTANCE TO LOW-RENTAL HOUSING PROJECTS

Organizations Eligible for Grants

Under The Elderly Persons Housing Act, 1959, the provincial Government through the Department of Health and Public Welfare Government makes capital grants towards the construction of low-rental housing for elderly people.^{1/} Grants are made to non-profit or charitable organizations

^{1/} Grants for hostels or institutional accommodation made under the same Act are discussed below; these grants are made under the same conditions as those for housing, but differ in amount.

which have been approved for the purpose by the council of the municipality in which the housing accommodation is to be situated. They may also be made to a municipality, or to two or more municipalities jointly.

Residents of Assisted Projects

The intent of the Act is to encourage the provision of accommodation for older persons with limited incomes. Assisted accommodation may be rented only to single persons 65 years of age or over, or to married persons in the same age group and their spouses. A married person living apart from his or her spouse is considered unmarried for the purposes of the Act. The Minister of Health and Public Welfare may, however, grant written permission for the admission of persons aged 60 to 64 years to accommodation if, in his opinion, they are in need of it.

The annual income of single persons or couples accommodated, inclusive of allowances under the Old Age Assistance Act or the Old Age Security Act, may not exceed five times the annual rental value of the accommodation occupied, not including the rental value of services and equipment supplied.

Size of Grant

A grant may equal one-third of the capital costs of constructing or acquiring and reconstructing a project, but may not exceed \$1400 for each housing unit for a single person or \$1667 for each unit for two persons. A housing unit is defined in the Act as housing accommodation for either one or two elderly persons, with separate bathroom and kitchen facilities.

The value of land acquired by a group as a site for a housing project may be included in construction costs for the purposes of a grant. If the land is acquired for other than a fair price its value is deemed to be the market value as determined by the Provincial Assessor.

Grants made for the construction of units may be used in part for the purchase of furnishings and fixtures.

Conditions for Grants

A municipality or organization requesting a grant for a housing project must contribute an amount equalling ten per cent of the total cost of the project, obtained in such a way as not to incur a debt on the accommodation. As an

alternative in the case of new construction, the contribution may consist of the necessary land with municipal services available as required by the Regulations, plus five per cent of construction costs.

If the first alternative is adopted, it will be noted that in projects partially financed by long-term low-interest loans under Section 16 of the National Housing Act, a loan amounting to only 57 per cent of the value of the project will be required, the balance being covered by the provincial grant and the basic contribution. If the contribution consisted of land, plus 5 per cent of construction costs, a loan equalling 62 per cent of construction costs would be required.

Application for a grant is made on a prescribed form to the Director of Housing in the Health and Public Welfare Department. Groups intending to apply for a grant are required to submit a capital and operating budget to the Director for the proposed housing. Applications must be accompanied by plans drawn to scale showing the rooms for guest accommodation and the number of beds in each, and such other information and material as the Minister may require.

Schedules of rentals to be charged for accommodation may be included in regulations under the Act, but such regulations have not been made.

Provincial Guarantee of Loans

Under The Elderly Persons Housing Act also, the Province may guarantee the repayment of principal and interest on loans made to municipalities or organizations receiving grants for the construction or acquisition and reconstruction of housing units. The amount of a guarantee may not exceed the costs of construction or acquisition and reconstruction, less the amount contributed by the municipality or organization and the amount of the grant.

Charitable organizations for which loans are being guaranteed must be incorporated under the laws of Manitoba or of Canada. Also, the loan must be secured by an encumbrance on the land and buildings used as low-rental accommodation, or any other assets used in connection with it, if this is required by the Provincial Treasurer. Loans for which guarantees are given for municipalities must also be secured in a manner satisfactory to the Provincial Treasurer.

A municipality or charitable organization may not settle the terms of a loan for which it is requesting a guarantee until the Provincial Treasurer has approved a proposed capital

and operating budget for the accommodation to be provided. When application is made for a guarantee the name and address of the lender are given, with the amount of the loan to be guaranteed, the interest on it, the way in which it is to be repaid, and the security being given for it.

In any year during which there is an amount owing on a guaranteed loan, an operating budget for the ensuing year must be submitted to the Provincial Treasurer.

MUNICIPAL HOUSING FOR THE AGED

Municipalities are authorized by The Municipal Act to construct housing for the elderly, either alone or jointly with other municipalities. Debentures may be issued to finance such housing, but if the debt contracted is not repayable within a year, issue of the debentures must be approved by the Municipal and Public Utility Board and assented to by three-fifths of the ratepayers. Municipalities may accept donations in the form of money, material or labour from any person or association for the purpose of constructing such projects.

MUNICIPAL GRANTS TO HOUSING

Municipalities may make grants under the Municipal Act to incorporated organizations or to other municipalities for the construction of housing projects for the aged. A grant may not, however, exceed three mills of the last revised assessment of the municipality or that part of it that will benefit from the housing.

PUBLIC HOUSING PROJECTS

A potential means of financing housing for the elderly is provided by The Manitoba Housing Act which authorizes the provincial Government and municipalities to participate with Central Mortgage and Housing Corporation in public housing projects under the National Housing Act. As indicated above in Chapter 1, 75 per cent of the capital costs of such projects are borne by the federal Government while the remaining 25 per cent may be shared by a Province and a municipality or borne entirely by either of them. These costs are borne entirely by municipalities in Manitoba. In order to participate in such projects municipalities are granted authority to borrow money and issue debentures, and to levy taxes to pay

the principle and interest on the debentures. To do any of these things the municipality must have the approval of the Municipal and Public Utility Board and, with the exception of Winnipeg, of its ratepayers.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES FOR THE AGED

The provincial Government does not itself operate or maintain any institutions for the aged, but it facilitates the construction of hostels for the elderly through capital grants.

MUNICIPAL HOMES FOR THE AGED

Under The Municipal Act any municipality, including a city, town, village, or a rural or suburban municipality, may establish and maintain a home for the aged and infirm, either alone or jointly with an adjoining municipality. The home or joint home may be located within or outside of the municipalities concerned. A board may be appointed to administer the home, consisting of the head of the municipality, the chairman of the committee of finance and six other residents of the municipality who are not members of the council. A municipality may also appoint a resident manager to act under the direction of the board, and may issue regulations governing the powers and procedures of the board and the manager. There are at present only two municipal homes in Manitoba.

VOLUNTARY INSTITUTIONS

Apart from two municipal homes, institutional care for aged and infirm persons is provided under voluntary auspices. Most of the homes operated by religious, fraternal or service organizations or as private undertakings care for both ambulatory and bedridden persons. They are supervised and licensed by the Department of Health and Public Welfare.

FINANCING HOMES FOR THE AGED

Provincial Capital Grants for Hostel Accommodation

Under The Elderly Persons Housing Act, 1959, the Provincial Government through the Department of Health and Public Welfare may make capital grants to one or more municipalities, and to approved non-profit or charitable organizations, to assist them in constructing hostels for the elderly.

Accommodation in which kitchen and bathroom facilities or bathroom facilities only are used by three or more elderly persons is defined in the Act as hostel accommodation. Similar grants may be made toward the cost of acquiring and renovating, reconstructing or repairing an existing building for use as a hostel.

Occupants. The age and income limits applied for residents of assisted hostel accommodation are the same as those described above for residents of low-rental housing projects.

Size of Grant. A grant may equal one-third of construction costs, but may not exceed \$1200 per bed for construction of a new building or \$700 per bed for the renovation of an existing building. If an existing building is purchased for a fair price the grant is based on the purchase price. Otherwise it is based on the market value of the building when acquired, as determined by the Provincial Municipal Assessor. The value of land acquired by a group as a site for a home may, as in the case of housing, be included in construction costs for purposes of a grant.

Conditions for Grants. A municipality or organization requesting a grant for a hostel must contribute an amount equalling 10 per cent of its total cost, obtained in such a way as not to incur a debt on the accommodation. Alternatively, in the case of a new hostel, the contribution may consist of the land needed with municipal services available as required in the Regulations plus 5 per cent of construction costs.

Application for a grant is made to the Director of Housing. The application procedure is the same as that outlined above for housing projects.

In hostels for which a grant is made, the number of infirmary beds (those used exclusively by patients in need of whole or partial nursing care) may not exceed one-fifth of total bed capacity.

Schedules of fees to be charged for accommodation may be included in Regulations under the Act, but this has not been done.

Provincial Guarantee of Loans

The construction of hostel accommodation is encouraged by the Province, also, under a loan guarantee similar to that available for low-rental housing loans.

Under The Elderly Persons Housing Act, 1959, the Province may guarantee the payment of principal and interest on loans made to municipalities or organizations receiving grants for

the construction, acquisition and renovation, or repair of hostel accommodation. The amount of a guarantee may not exceed the costs of construction or of acquisition or renovation, less the amount contributed by the municipality or organization and the amount of the grant.

The conditions under which repayment of loans will be guaranteed are outlined above in the section on "Provincial Assistance to Low-Rental Housing Projects".

Financing Municipal Homes

As indicated above, municipalities in Manitoba are authorized to operate homes for the aged, although only a few do so. Any municipality building such a home would, of course, be eligible for a provincial capital grant under The Elderly Persons Housing Act.

A municipality may borrow the funds it requires to erect a home for the aged and infirm, through debentures or by other means. However, if the debt contracted is not re-payable within a year the supporting by-law must be approved by the provincial Municipal and Public Utility Board and assented to by three-fifths of the ratepayers.

If only a part of a municipality is to benefit from a home, the relevant by-law must determine the district that will so benefit. The by-law may then divide that district into zones, and determine the proportion of the cost to be borne by each zone. A municipality may also make a grant to an adjoining municipality to assist in the erection of a home; such a grant must not exceed three mills on the last revised assessment of the municipality or that part of it to benefit from the home. A municipality may also accept donations or grants of money, material or labour from any person, corporation or association, to be applied toward costs of construction.

The amount required by a municipality to maintain a home for the aged or infirm may be raised through an annual special rate. This rate, which may apply to all or part of the municipality, must be approved by the Municipal and Public Utility Board and assented to by three-fifths of the ratepayers voting upon it.

Municipal Grants to Charitable Institutions

Municipalities may, under The Municipal Act, make grants to any incorporated organization to assist in the erection of a home for the aged or infirm. A grant may not, however, exceed three mills of the last revised assessment of the municipality or that part of it that will benefit from the home. The Municipal Act also provides that any municipal

corporation may pass by-laws granting aid to any charitable institution, or for making grants to support objects of a charitable or benevolent nature.

Tax Exemptions

Under The Municipal Act, municipalities may pass by-laws exempting any building used exclusively for charitable purposes from taxation, together with land not in excess of two acres. Through the same Act, homes for the aged and infirm receiving provincial grants may be exempted, with up to four acres of land. Such exemptions do not extend to local improvement charges or school taxes. A director, trustee or officer of institutions exempted from taxation or receiving municipal grants may not participate in any contracts, purchases or sales in which his institution is an interested party.

MAINTENANCE IN HOMES FOR THE AGED

Needy older persons are maintained in homes for the aged and private boarding homes under the Manitoba Social Allowances Act, 1959. Allowances are paid to persons who are unable to earn sufficient means to meet their basic necessities or who require care by another person or in a home for the aged, because of age or physical or mental illness, or incapacity, likely to continue for more than 90 days. The amount of an allowance is determined by the Director of Public Welfare in the light of need, other income and assets; the municipality is not called on to bear any part of the cost of the allowances. In addition to basic necessities an allowance may cover the cost of clothing and essential surgical, medical, optical, dental and other remedial treatment and care. For residents of a home for the aged (or hostels), allowances may cover the actual per diem rates as agreed upon between the home and the Director of Public Welfare.

A person in receipt of old age security, old age assistance, or a blind or disabled persons allowance may, if need is determined, qualify for a social allowance.^{1/}

Recovery of Maintenance Costs

The Health and Public Welfare Act provides that any person for whose custody, care, or maintenance the provincial Government has become responsible is liable for any costs so

^{1/} Allowances under the Act may, of course, also be paid to residents of low-rental housing projects.

incurred. This does not, however, apply to supplementary aid granted under The Social Allowances Act. The liability extends to the recipient's spouse and his executors or administrators. Costs may be recovered as debts due to the Crown and a lien in favour of the Crown may be registered against the lands of the person supported and those mentioned above. While this provision remains in the legislation it is no longer used by the Province.

LICENSING AND INSPECTION OF INSTITUTIONS

General Provincial Responsibilities

The duties of the Minister of Health and Public Welfare under The Public Health Act include the supervision of all public and private institutions for the safekeeping, custody or care of persons maintained in them at their own expense or by public or private charity. He must require that the premises be kept in a proper sanitary condition at all times and that The Public Health Act and its Regulations be complied with.

Provincial Licensing

Institutions and private boarding homes for aged and infirm persons are licensed by the Department of Health and Public Welfare in accordance with regulations issued under The Public Health Act.^{1/}

Definition of an Institution

For the purposes of Regulations under The Public Health Act a private institution is premises or a part thereof in which more than two aged or infirm persons are accommodated, and for whose care and maintenance a charge is made. The Regulations do not extend to nursing homes or other establishments licensed under The Private Hospitals Act.

No person may operate or maintain an institution or cause such an establishment to be operated without first obtaining a permit to do so from the Minister of Health and Public Welfare. A home for which a permit has been issued may not admit or care for boarders who are not aged or infirm.

^{1/} Section 10 of the Elderly Persons Housing Act, 1959, which has not been proclaimed, would require any person, corporation, organization or municipality operating a hostel or elderly persons housing unit to hold a license for the accommodation.

The Minister of Health and Public Welfare in his discretion may declare by order that the Regulations do not apply to any municipality named in the order, but no exemption of this kind is in effect at present. He may also revoke or amend any such order from time to time.

Licensing Procedure

To receive a permit, an institution must meet the standards described below under "Standards in Institutions and Boarding Homes". An application for a permit must be accompanied by a scale plan of the rooms for patient accommodation with the number of beds proposed for each. A report is required from the medical officer of health on the water supply, the sewage disposal system, heating system and the general sanitation of the premises, along with a report from the Provincial or Municipal Fire Commissioner on fire safety and protection. A certificate of character for the applicant issued by the local municipal council is also required along with such other information or material as the Minister may request.

The permit, which is issued in a form prescribed by the Minister, is non-transferable both with regard to the proprietor and the premises. The date of expiry is designated on the permit, which must be displayed in a conspicuous place in the establishment for which it was issued.

Cancellation of License

A permit may be cancelled by the Minister if the permittee fails to comply with the regulations or if, in the opinion of the Minister, the home or institution is operated and maintained without due regard to the health, comfort or morals of the patients, or without consideration for the common rules of hygiene. He may also cancel a permit if a municipality reports that, for stated reasons, a particular home or institution within its boundaries is no longer required.

Inspection

It is the duty of the Minister of Health and Public Welfare under The Public Health Act to inspect all private and public institutions for the safekeeping, custody and care of individuals, whether the latter are maintained in them at their own expense or by public or private charity.

Institutions licensed as above may be inspected at any reasonable hour by the Minister, a medical officer of health or any person authorized by the Minister. The inspecting

official may examine all or any of the records of the institution and inquire into all matters pertaining to its operation and maintenance. The licensee must make available all records and other pertinent information and give access to all rooms and other parts of the premises. There is no specific provision in the regulations for the compulsory periodic inspection of licensed establishments. Inspections are now conducted on a continuing basis by local health units and, in Winnipeg, by the City Health Department. These authorities also advise on the issuing of licenses each year. Homes located in areas where there are no local health units are inspected by the Public Health Nursing Division of the Provincial Department.

The Elderly Persons Housing Act, 1959, requires the operator of a hostel or elderly persons housing project to permit any inspector of the Department of Health and Public Welfare to inspect his premises at any time. The Act also provides for the appointment of a Supervisor of Elderly Persons' Housing and Institutions.

Supervision of Municipal Homes

Municipal councils are responsible for the control and supervision of municipal homes for aged and infirm persons. The boards of such homes are under the direction and control of the council, which may make regulations governing their powers and procedures, and those of the resident manager.

STANDARDS IN INSTITUTIONS

Licensed institutions and private boarding homes for aged and infirm persons must comply with standards which are set out in regulations under The Public Health Act.^{1/}

General Standards

Institutions must be maintained with due regard to the health, comfort and morals of their residents.

Building and Location

An institution or home applying for a license must provide a plan drawn to scale showing the rooms for patient accommodation and the number of beds in each room.

^{1/} Regulations governing standards of accommodation in hostels and housing units may be made under The Elderly Persons Housing Act, but none have been introduced as yet. They may prescribe standards for the administration of hostels and for care of persons in them.

Equipment and Facilities

The Minister of Health and Public Welfare must be satisfied that the premises, including the water supply, ventilation, sanitary facilities, heating and lighting systems, and other equipment are suitable for the purpose of a boarding home or institution. Information concerning these facilities at the time of licensing is included in a report from the local medical officer of health.

Accommodation

Attic rooms must not be used for patient accommodation, and rooms above the first floor may be used only if there are suitable fire exits and their use is authorized by the Minister. The regulations specify minimum floor areas for each room occupied by residents, with a minimum of 73 square feet for a bed three feet or less in width.^{1/} If in addition to sleeping accommodation there are day room facilities which the residents are physically able to use and which are satisfactory to the medical officer of health and the Minister, the bedroom floor areas may be a minimum of 60 square feet, or provide a minimum of 40 square feet for each occupant. The Regulations do not specify any maximum number of residents per bedroom.

Fire Protection

An application for a licence must be accompanied by a report from the Provincial Fire Commissioner, the Municipal Fire Commissioner or a similar officer, on the fire protection and fire safety of the proposed home or institution.

Management

Before issuing a licence, the Minister must be satisfied that the applicant is of good moral character, and physically and mentally fit to operate and maintain a boarding home institution. The applicant must provide a certificate of character issued by the council of the municipality in which the proposed home is situated.

Staff

Institutions are required to have "suitable and adequate staff", including at least one day attendant if there are five or fewer residents and if there are more than this one attendant

^{1/} This increases to 78 sq. ft. for a bed 3 - 3½ ft. in width, to 84 sq. ft. for one 3½ - 4 ft. wide, and 89 sq. ft. for one over four feet.

for each five residents or a portion thereof. Institutions must also employ at least one night attendant and suitable and adequate domestic staff.

Health and Medical Care

Institutions are to be operated with due regard to the health of the residents, and standards of cleanliness satisfactory to the Medical Officer of Health or the Minister must be maintained. The Regulations contain no specific requirements concerning medical care. However, the chief officer of health, or a medical officer of health must be notified of the sickness of any resident within 24 hours of its occurrence.

Nutrition

An institution must have suitable and adequate domestic staff to prepare and serve meals in a manner satisfactory to the medical officer of health or the Department of Health and Public Welfare.

Occupational and Recreational Activities

The management of a licensed boarding home or institution must provide such facilities for recreation and occupation as the Department of Health and Public Welfare may require.

Records and Returns

The management of a licensed institution to keep records in a form prescribed by the Minister, showing the date of any admission, discharge or death, the name, age and address of each person admitted, any diagnosis in the case of an illness and the name of the attending physician, and such further information as may be required from time to time.

Licensed institutions must notify the chief officer of health, or the medical officer of health if the institution is in a district with a full time health unit, of the sickness, death or discharge of any resident within 24 hours of its occurrence. The sudden death of any resident must also be reported immediately to the medical officer of health.

Public institutions receiving support from the provincial Government are required by the Department of Health and Public Welfare Act to supply correct information on all matters about which they are questioned by the Department. The provincial Supervisor of Collections receives and has access to all financial reports and statements from such institutions.

PROVINCIAL LICENSING AND INSPECTION OF BOARDING HOMES

Provincial supervision of boarding homes is authorized under The Public Health Act. The Regulations outlined above for private institutions, that is, those which govern licensing and inspection and outline standards of accommodation and care to be maintained in licensed premises apply in their entirety to private boarding homes. These Regulations define a private boarding home as a premises or a part thereof in which accommodation is provided for not more than two aged or infirm persons for whose care and maintenance a charge is made. However, since boarding homes by definition have less than five residents they are required to have only one attendant for day duty, while private institutions must have an attendant for each five residents or portion thereof.

REGULATION OF LODGING HOUSES

The Municipal Act authorizes municipalities to pass by-laws for licensing, regulating and controlling lodging and boarding houses, and other places where sleeping accommodation is rented.

ACCOMMODATION IN GENERAL

BUILDING STANDARDS

Housing in general is subject to local by-laws governing the construction, and use of buildings. Municipalities are authorized by The Municipal Act to regulate the construction of homes to ensure the warmth and comfort of their occupants, and to provide for the demolition of buildings that constitute a hazard.

HEALTH AND SANITATION

Under The Public Health Act the Minister of Health and Public Welfare may make regulations governing the site, construction, plumbing, heating and sanitary conditions of buildings used for human habitation; he may also require their periodic inspection. Regulations may be made concerning cleaning, ventilating and disinfecting of premises. The Minister has general power to enter any premises in exercising his duties and to give appropriate directions on their use, occupancy, structural alteration or on other matters, in the interest of public health.

Municipalities may also pass by-laws, not inconsistent with The Public Health Act, to provide for the health of their residents. They may for example appoint plumbing inspectors and may pass by-laws regarding the number and kind of privies or water closets to be placed on any premises where one or more families live, including boarding, lodging and tenement houses.

FIRE PREVENTION

Provincial responsibilities concerning the prevention of fire in dwelling accommodation are exercised through The Fire Prevention Act. The Act provides for the appointment of the Manitoba Fire Commissioner whose duties include the enforcing of all laws of the Province and regulations under them relating to the prevention of fire and the means and adequacy of exit from all places in which a number of persons live or congregate from time to time. The Commissioner or his subordinates, local fire chiefs, mayors or reeves may enter any building at a reasonable hour and order the remedy of dangerous conditions or the repair of the buildings. Municipalities may make regulations consistent with The Fire Prevention Act for the prevention of fires. They may require that proper escapes, platforms and stairways be maintained in all buildings three or more stories in height. They may make specifications for buildings relating to materials, methods of construction and other details affecting the safety of persons in them.

LIST OF STATUTES

The Elderly Persons Housing Act, S.M. 1956, c.14; 1957, c.16.

The Fire Prevention Act, R.S.M. 1954, c.86; S.M. 1956, c.23.

The Housing Act, R.S.M. 1954, c.120; S.M. 1955, c.31; 1957, c.29.

The Municipal Act, R.S.M. 1954, c.173; S.M. 1956, c.46; 1957, c.46; 1958 (1st) c.41; 1958 (2nd) c.6.

The Public Health Act, R.S.M. 1954, c.211; S.M. 1957, c.54.

The Social Allowances Act, S.M. 1959, c.57.

Regulations

The Elderly Persons Housing Act - Man. Reg. 96/59.

The Public Health Act - Man. Reg. 37/53.

The Social Allowances Act - Man. Reg. 99/57.

10. SASKATCHEWAN

Housing

Low-rental Housing
Incorporation Fees
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Provincial Homes
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List of Statutes

S A S K A T C H E W A N

Legislative measures affecting accommodation for the elderly in Saskatchewan differ from those in other provinces in that most of them fall within the framework of a single statute, The Housing Act and its Regulations. Through this Act provincial assistance in the form of both capital grants and maintenance subsidies is available to municipalities and voluntary organizations erecting low-rental housing or hostel accommodation. Provincial aid may also be offered through purchase of capital stock in the sponsoring company, by loans to municipalities to assist them in subscribing to such stock, and by the guarantee of funds borrowed to build hostel accommodation. Municipal participation in such projects and assistance to them in the form of capital grants is also authorized by the Act. Regulations under the Act provide for the licensing and inspection of homes for the aged and set out the standards of accommodation and care that must be maintained.

Several other statutes affect accommodation for the aged but to a more limited extent. Provincial operation of homes for the aged is authorized by The Department of Social Welfare and Rehabilitation Act, as well as The Housing Act. Municipal acts, such as The City Act and The Town Act provide for tax exemptions and grants to charitable institutions. Provisions affecting the supervision of institutions for the aged are found in The Hospital Standards Act and The Public Health Act. The latter Act as well as the various municipal statutes and The Fire Prevention Act are of interest since they include sections which apply to housing in general, and to boarding and lodging houses.

HOUSING

In recent years there has been a rapid growth in the amount of low-rental housing accommodation available for the elderly in Saskatchewan. While in many instances, initiative has been taken by municipal authorities in the formation of limited-dividend companies to provide low-rental housing, church and charitable organizations have also been active in this area. In the rural areas projects are planned generally to meet the joint needs of several neighbouring municipalities, each of which subscribes to the capital stock of the sponsoring company, its share being determined by its population, its assessment or by some other method.

Many of the municipally sponsored projects consist of two types of accommodation, self-contained housing units for elderly couples and hostel or residential accommodation for single people or surviving consorts.

On March 31, 1959 accommodation for 1,522 elderly persons was available in self-contained housing units and bachelor suites in projects throughout the province.

LOW-RENTAL HOUSING - PROVINCIAL ASSISTANCE

The Housing Act, through which provincial assistance is provided to housing for the elderly, is administered by the Housing and Nursing Homes Branch of the Department of Social Welfare and Rehabilitation.

The Act authorizes the Province to incorporate companies that have as their objective the construction of low-rental housing projects, including limited-dividend companies eligible for loans under the National Housing Act. The Province may also operate low-rental projects under this statute, but it does not do so at present.

Capital Grants

Construction grants equalling 20 per cent of costs are made by the Province to approved church or charitable organizations and to municipalities undertaking housing projects for the aged.

Maintenance Grants

An annual subsidy of \$40 for each self-contained unit is paid to the above-mentioned organizations to assist them in the maintenance of their projects, if these projects are licensed in accordance with Regulations under the Act. As a condition of payment certain accounting procedures may be required, with a periodic audit of the books of the project.

Provincial Loans

The Province may make loans to municipalities to assist them in subscribing to the capital stock of limited-dividend housing companies receiving loans under the National Housing Act, or the stock of other incorporated companies that are building accommodation for the elderly. A loan may not exceed 60 per cent of the capital to be subscribed by a municipality.

Provincial Purchase of Shares

The provincial Government may itself subscribe to the capital stock of limited-dividend housing companies eligible for federal loans or to that of any other housing company. It may enter agreements with companies covering the stock so subscribed and the rights and privileges incidental thereto, but such agreements must not render the company ineligible for federal financial assistance.

Applications for Provincial Assistance

Reports indicate that in applying for any form of provincial assistance municipalities or voluntary organizations are asked to provide the Housing and Nursing Homes Branch with a detailed proposal, containing information on the need for accommodation in the area in which they plan to build and on the financing of the project. The latter includes estimated capital costs, contributions that may be expected and the manner in which the capital stock is to be financed. Information is also requested on the income bracket of prospective tenants, the average rentals to be charged, and on the available water, sewer and other services. An outline of the management of the project and detailed plans of the building are also submitted.

INCORPORATION FEES

Limited-dividend companies eligible for loans under the National Housing Act, and other incorporated companies that have as their object the construction of low-rental or other housing projects, may be exempted from the provisions of the Companies Act or any other statute. Regulations under the Housing Act provide that, in lieu of payment of the regular incorporation fee, any company providing accommodation for needy, aged, infirm or blind persons may be incorporated for a fee of \$20, if it does not intend to operate for a profit.

PROVINCIAL CONSULTATIVE SERVICES

The Housing and Nursing Homes Branch provides consultative and advisory services to municipalities and other groups interested in undertaking housing projects for older citizens. Branch members visit communities and participate in meetings concerned with housing the elderly, providing information and advice on possible types of projects, standards of accommodation, methods of financing and other matters.

PROVINCIAL SUPERVISION AND LICENSING

Housing projects for the elderly are subject to provincial supervision and licensing in the same manner as homes for the aged; they must also meet provincial standards. These requirements are outlined below under "Licensing and Inspection of Homes for the Aged", and "Standards in Homes for the Aged".

MUNICIPAL OPERATION OF HOUSING PROJECTS

Municipalities are authorized by The Housing Act to acquire, construct, operate or maintain housing accommodation for needy, aged, infirm or blind persons. As noted above, many do so at present. Subject to the approval of the Local Government Board, they may enter into agreements, with the Government of Canada, with provincial governments or with other municipalities for the purpose of providing low-rental housing.^{1/} They may do anything necessary for carrying out such agreements.

The Minister of Municipal Affairs may enter agreements to participate in housing projects on behalf of a Local Improvement District and the Minister of National Resources on behalf of the Northern Saskatchewan Administrative District.

MUNICIPAL ASSISTANCE TO PROJECTS

Subscription to Stock

Municipalities may subscribe to the capital stock of limited-dividend companies eligible for federal loans under the National Housing Act or to the stock of other companies incorporated for the purpose of developing low-rental or other housing. The approval of the Local Government Board is required for this. The municipalities may enter agreements with limited-dividend companies respecting the stock subscribed and the rights and privileges incidental thereto, but the agreements must not render the company ineligible for federal or other loans or guarantees. While no municipalities have subscribed to the stock of limited-dividend companies up to the present, grants have been made in the form of cash and land.

^{1/} The primary function of the Local Government Board is to assess the ability of a municipality to assume the financial obligation involved in financing a project. Approval by the Board also permits an incumbent council to commit future councils to the repayment of a debt or the fulfillment of an agreement.

Tax Exemptions

Housing projects for older people, which are licensed in accordance with The Housing Act and are operated by municipal, church or charitable organizations, or other non-profit bodies, are exempt under the Act from municipal taxation, with the exception of local improvement taxes and special charges.

PUBLIC HOUSING

Through The Housing Act the provincial government may enter agreements with the federal Government for undertaking federal-provincial public housing projects in accordance with Section 36 of the National Housing Act. Only ten dwelling units specifically designed for older people, however, have been included in public housing projects undertaken up to the present in Saskatchewan. These are located in Regina.

Municipalities may participate with federal and provincial authorities in public housing projects as contemplated in Section 36 of the National Housing Act. They contribute five per cent of the costs of providing such housing and an equal percentage of any annual loss arising out of its operation.

With the approval of the Local Government Board, municipal councils may issue debentures or other securities in order to provide funds for the above purposes. Funds so raised have no bearing on the limit of borrowing by debenture permitted for municipalities by The City Act and The Town Act.

Sections relevant to public housing are also contained in The City Act and The Town Act. These provide that, with the approval of the Local Government Board, city and town councils may spend designated sums to meet all or part of the costs of erecting or purchasing houses or of acquiring other suitable accommodation for residential purposes. They may renovate or remodel any dwelling which they own or have contributed to at the time of its construction.

Cities and towns may exempt public housing projects partially or totally from municipal taxation. However, normal taxes have been paid on all public housing projects up to the present.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES

General authority to operate and maintain homes for the aged is granted to the Department of Social Welfare and Rehabilitation by its departmental statute. In addition, The

Housing Act authorizes the Minister of Social Welfare and Rehabilitation with the approval of the Lieutenant-Governor in Council to operate any home for the benefit of needy, aged, infirm or blind persons.

It is the policy of the Department, however, to leave to voluntary homes the responsibility of caring for those who do not need nursing care. The Department provides skilled nursing care through provincial institutions, to non-ambulatory or partially ambulatory older people who cannot be cared for in their own communities.^{1/}

MUNICIPAL HOMES

Under The Housing Act, a city, town, village or rural municipality may, with the approval of the Local Government Board, acquire, construct, or operate a home for needy, aged, infirm or blind persons. This may be done singly or in conjunction with other municipalities.

One or more municipalities operating a home may appoint a board under The Housing Act to supervise and manage it. They are authorized to prescribe the number of members on the board and their qualifications; members may hold office during pleasure or for a term fixed by the councils. Boards may be paid and may be authorized to appoint their own chairmen, and such

^{1/} This care is provided in four provincial Geriatric Centres, in three of which applicants for admission must be covered by the Saskatchewan Hospital Services Plan and be suffering from a medical condition which requires skilled nursing on a long-term and continuous basis. Priority for admission is given to residents of hostels operated by voluntary organizations throughout the Province. (To assist the sponsors of the hostels in obtaining loans under the National Housing Act, the Province enters into an agreement to provide care for occupants who become bedridden.)

Recently there has been a change in emphasis in the Centres from nursing to treatment and care, working toward some degree of rehabilitation. In 1959 the Centre at Regina was staffed and equipped to conduct a pilot project in rehabilitation, with plans to extend this program to the other Centres in the future.

officers as they consider necessary. Subject to the approval of the council or councils which it represents a board may fix the forms and procedures to be followed in carrying out its functions. The Act also authorizes boards to provide regulations governing the conduct of guests in homes and to prescribe conditions of admission, discharge or removal.

In March, 1959, 23 homes and housing projects were being operated by municipalities; these were sponsored by 164 municipalities and Local Improvement Districts.

VOLUNTARY HOMES

As in other provinces, there are a large number of voluntary homes for the aged in Saskatchewan, operated by religious or charitable organizations, or by private persons as proprietary establishments. These homes accommodate predominantly ambulatory older persons who cannot care properly for themselves; only a few give nursing care. They are licensed by the province under The Department of Social Welfare and Rehabilitation Act and The Housing Act.

FINANCING HOMES FOR THE AGED

Provincial Assistance

Under The Housing Act the Province makes capital grants amounting to one-fifth of construction costs to approved municipal, charitable or church organizations building homes for the aged. Plans and specifications for such homes must be approved by the Minister.

The Province may also make annual maintenance grants of \$60 per bed to homes licensed in accordance with the Act. Details concerning these grants and other provincial assistance which is available for hostel accommodation as well as housing projects are outlined above under the headings, "Provincial Assistance to Housing Projects".

Grants are not made to commercial or proprietary homes.

Provincial Guarantees

The Province may guarantee the repayment of a federal loan made to a limited-dividend company for the construction of hostel accommodation intended for surviving consorts or single aged people, or for other accommodation which has

common eating and sitting rooms and is situated near self-contained housing units. To be eligible for a guarantee the company must have received municipal subscription to its capital stock. The municipality which has subscribed may in turn be required to guarantee repayment to the Province of any funds which the latter may have to pay pursuant to its guarantee.

This provision is included to meet the policy of Central Mortgage and Housing Corporation, which will advance a loan for hostel type accommodation only if it is built in conjunction with self-contained units and repayment of the loan is guaranteed by a province.

Municipal Grants

Municipalities are authorized by The Housing Act to enter into agreements with the Federal and the Provincial Governments and with other municipalities for the purpose of providing low-rental housing or hostels. In carrying out agreements they may make grants to groups providing such accommodation. Municipalities wishing to support charitable institutions which they have not sponsored and for which no agreement exists may do so under the various municipal Acts. A city, for example, may grant aid of up to \$2,000 per year to any charitable institution. Any assistance granted in excess of this amount requires the approval of a majority of the electors assessed on the last revised assessment role. Town councils may also grant aid to charitable institutions, any assistance in excess of \$1,000 per year to a single institution requiring the assent of a majority of the electors.

Villages and rural municipalities may make grants to any corporation, organization or other body for the purpose of assisting in the construction, operation and maintenance of a home for the care of needy, aged, infirm or blind persons.

Municipal grants in the form of cash and land have been made for hostels in a number of cases.

Municipal Purchase of Stock

As noted in the section on low-rental housing, cities, towns, villages or rural municipalities may subscribe to the capital stock of corporations having as their object the development or construction of low-rental or other housing projects. The accommodation provided may include a hostel built in conjunction with self-contained dwelling units, for surviving consorts or single aged people.

Tax Exemptions

A licensed home for the aged or infirm administered by a municipality, or a church, charitable or non-profit organization is exempted by The Housing Act from all municipal taxation, except local improvement taxes and special charges.

Land Grants

Cities and towns, villages and rural municipalities, with the approval of the Minister of Municipal Affairs, may convey or dispose of land to provide a site for any institution required by The Department of Social Welfare and Rehabilitation Act, at an agreed price or as a gift.

MAINTENANCE OF THE NEEDY IN HOMES

In addition to the annual maintenance subsidy paid to municipal and voluntary homes, assistance is available under The Social Aid Act to needy residents of homes for the aged. This assistance is granted by municipalities, except in unorganized territory where it is the responsibility of the Province. The municipalities are reimbursed by the Province for their entire social aid costs and are charged on a per capita basis for a small portion of overall provincial costs.

Eligibility for assistance is determined on the basis of the applicant's need and his ability to provide for himself. Aid may be granted to cover the entire cost of care in homes for the aged or hostels licensed by the Department of Social Welfare and Rehabilitation. A comforts allowance of up to \$10 per month may be included in any assistance granted.

LICENSING AND INSPECTION OF HOMES FOR THE AGED

Licensing

The Department of Social Welfare and Rehabilitation Act states that no person may operate a home or other institution for the care of needy, aged, infirm, or blind persons without obtaining a licence to do so. Also, the Minister of Social Welfare and Rehabilitation may, under The Housing Act, make regulations governing homes for the aged. Regulations under this Act outline the present licensing procedure, administered by the Housing and Nursing Homes Branch. Hostels and low-rental housing projects which provide most of the accommodation for elderly persons in the Province are licensed under these Regulations. Also licensed are all homes in which personal or

skilled nursing care is offered, whether for profit or not, to four or more persons who are not related by blood or marriage to the operator, and who are unable to care for themselves because of illness, infirmity or advanced age.

Regulations may also be made under The Hospital Standards Act and The Public Health Act governing the construction, maintenance, equipping, licensing and inspection of nursing homes and homes for the aged. Regulations issued under The Public Health Act provide, among other things, for the inspection of homes.

Licensing Procedure

Application for a licence under The Housing Act is made in a prescribed form, and must include such information, documents, plans and specifications as the Minister requires. A licence may be granted to an applicant who has complied with the Regulations under the Act, if provision is made for accommodation of guests in suitable and safe premises which meet accepted health standards and the provincial fire regulations. There is no fee for the licence, which is issued in a prescribed form and expires on December 31st each year.

A fine of from \$25 to \$100 or 60 days imprisonment in default of payment is specified in The Department of Social Welfare and Rehabilitation Act as a penalty for failing to obtain a licence.

Cancellation of Licences

A licence may be cancelled if it is found that the licensed premises are no longer suitable or that the home is not being operated in compliance with the Regulations. Cancellation may also result if an officer of the department is hindered in carrying out his inspection or other duties.

Inspection

A representative of the Department of Social Welfare and Rehabilitation may inspect a home and its records of operation at any time. With the approval of the Director of the Housing and Nursing Homes Branch, a home or housing project may also be inspected by regional or municipal health officers.

Inspections are made periodically by Regional Health Officers or their staff, who in turn notify the Housing and Nursing Homes Branch of their findings. The main inspection provided on a regular basis is that of the local sanitary inspectors, who act at the request of the Housing and Nursing Homes Branch.

The Branch also employs a nutritionist and a nursing consultant whose main functions are to assist operators of homes for the aged in maintaining and improving the standards.

When a home is constructed or renovated the Fire Commissioner's Office carries out inspections to see that fire hazards are removed as much as possible. Subsequent fire inspections are carried out only when requested by the Housing and Nursing Homes Branch or the operator of the home.

STANDARDS IN HOMES FOR THE AGED

Building Standards

Regulations under The Housing Act govern the construction of homes and housing projects by providing that neither may be built or acquired for use until approval has been given by the Director of Housing and Nursing Homes and the Provincial Fire Commissioner. Application for approval is made to the Director, accompanied by sketch plans and such other information as may be required. Approved plans may not be altered without written consent. Also, no home or housing project may be enlarged or remodelled until approval has been given. Final approval of a home is given after inspection by the Director and the Provincial Fire Commissioner. No re-allocation of the use of areas may be made within a home or housing project so as to effect its measured capacity as approved.

Certain specific standards to be followed in the construction of homes are outlined in the Regulations. Corridors in hostels must be at least five feet in width and in new hostels the doorways through which beds may have to be moved must have a minimum width of three feet eight inches. Ventilation in homes and housing projects must be arranged so that each guest receives ample fresh air and there must be adequate lighting, with clear glass area in bedrooms equalling at least ten per cent of the floor area. Storm windows must be hinged at the top or have a sliding panel of 80 square inches. Windows and doors must be screened against insects.

Walls and floors below ground level must be moisture and water proof and all basement walls must be rat proof. Basements are to be adequately lighted and ventilated with walls and ceilings whitewashed or painted a light colour. Bedrooms may not be placed in basements where the floor is more than $3\frac{1}{2}$ feet below the ground.

Rooms used for food storage or preparation in hostels must be kept clean with ceilings and walls limewashed or painted, and rooms containing toilet facilities may not open on them. Doors to rooms where food is stored, prepared or served must have an impervious surface and their floors and walls and ceilings must be kept in good repair.

Equipment

The Regulations require that steam, hot water or radiant heating capable of thermostatic control be installed in all new homes and housing. In hostels suitable toilets must be provided, with not less than one toilet for every twelve guests and one tub or shower for every twenty. Separate facilities must be provided for male and female guests. Except where mechanical ventilation is provided toilets must be lighted by a window opening to the external air. Adequate washing and bathing facilities must also be provided for the staff.

Kitchens in hostels must be adequate for preparation of the food required and be equipped in a manner satisfactory to the Director. Where dishwashing machines are not used, the equipment used must be made of non-corrodible material and consist of at least two compartments.

Accommodation

Every hostel is to be equipped to provide maximum efficiency and furnished to provide a comfortable and homelike atmosphere in a manner satisfactory to the Director of the Housing and Nursing Homes Branch.

Sanitation

The method of collection and disposal of solid and liquid wastes in hostels in subject to the approval of the Director of the Housing and Nursing Homes Branch.

Personnel preparing food must have convenient hand washing facilities and must wear clean uniforms or aprons and head coverings. Glassware, cutlery and other utensils are to be thoroughly cleaned before use and subjected to a sterilization process approved by the Director. Methods of using dishwashing machines or manually operated facilities are also subject to the approval of the Director. Chipped or cracked glassware may not be used at any time.

Fire Protection

Regulations under The Housing Act governing fire prevention are very explicit and cover standards of construction for fire prevention, as well as the use of protective devices.

Under these Regulations new homes of more than one storey are to be of fire resistant construction with the main floor of masonry; frame buildings of more than 6,000 square feet in floor area must be divided by fire walls. Self-contained housing units must also be separated by fire walls and openings in these walls must have self-closing fire resistant doors. The Director of the Housing and Nursing Homes Branch or the Provincial Fire Commissioner may require such walls to be placed in new or used buildings where they are necessary to assure safety.

Other provisions require the erection of smoke barriers in corridors, specify minimum fire resistance rating for materials used in construction and govern the construction of chimneys and boiler rooms. Light and ventilation shafts, elevators and stairways are to be enclosed by masonry and openings to them protected by fire doors. Regulations also govern the placing of exits and their number and size, and include measurements and other specifications for stairways.

Hostels must have approved electric or battery powered fire alarm systems capable of attracting the attention of all persons in them. These systems must be tested twice monthly with the results recorded and available for inspection. Where a municipal alarm system is in existence, the Fire Commissioner may require that the home be connected to the system. In addition every home is to have a plan, which is printed and posted, for the protection of all persons in the home in case of fire, and their evacuation if necessary. All employees are to be instructed and kept informed concerning their duties under the plan.

The number, type and location of fire extinguishers or standpipe and hose is to be as required by the Fire Commissioner. However, hose may not exceed 75 feet in length and must reach any part of the corridors, and a portable fire extinguisher must be provided for every 2500 square feet of floor area. The hose system must be tested every six months and the fire extinguishers inspected every three months and recharged if necessary.

Outside fire escapes may be used only in buildings already in use; in this case they are required in homes of more than one storey. Specifications are included for their construction.

Specifications are also included for housing fuel driven auxiliary lighting plants.

Medical Care

Persons admitted to hostels must have a complete medical examination before being admitted and a further complete examination every six months thereafter. In addition, residents must be examined for 'health and nutrition' at least once each month.

Staff members of hostels are to receive a physical examination before entering employment and at least once each year thereafter. At these times a chest X-ray must also be taken. A tuberculin test must be taken within a week after employment with an additional test every six months if the result is negative. If the test is positive, an X-ray must be taken with a radiograph of the lungs. Staff members must show proof of vaccination and undergo subsequent vaccinations every five years; proof of inoculation is also required with re-inoculation every two years. Tests for syphilis must also be taken as well as a test for susceptibility to diphtheria, followed by immunization if susceptibility exists.

Nutrition

The Regulations require that records of menus in hostels be kept, and made available to the Director of the Housing and Nursing Homes Branch if requested.

Pasteurized milk is to be used exclusively.

Records and Returns

Hostels must keep case records as prescribed by the Director. The findings of the physician in each health and nutritional examination are kept on the residents' case record. A record is also to be kept of physical examinations.

Accurate records of all medical examinations and tests relative to any employee are also required and these are preserved for at least two years after cessation of employment.

BOARDING HOMES

As noted above, proprietary and non-profit homes which provide personal or skilled nursing care for four or more persons are licensed and inspected by the Department of Social Welfare and Rehabilitation through Regulations under The Housing Act. Standards of care and accommodation are also set out in these Regulations. The Regulations do not apply

to "boarding houses" which are defined as homes in which persons are given board and room, including heat, light, toilet and bathroom facilities, and in which there is no undertaking by the operator to furnish personal or special attention.

LODGING HOUSES

PROVINCIAL SUPERVISION OF ROOMING HOUSES

All rooming houses providing sleeping accommodation for five or more roomers for a period of one week or more must meet standards of accommodation set forth in Regulations governing hotels and rooming houses, issued under The Public Health Act. The Regulations cover required dimensions of bedrooms and amount of air space per person, cleanliness and order of premises, lighting, ventilation and temperature, and washing and toilet facilities. They authorize the Minister of Public Health, a Medical Officer of Health or their representatives to inspect such premises at any time.

MUNICIPAL LICENSING

Under The City Act any person wishing to operate a place of public accommodation, including a boarding house, must apply to the city council for a licence. The council may order that a licence be issued if it considers that the applicant is a fit and proper person to conduct such a business and that the premises are suitable. Licences are renewable annually and must be prominently displayed on the premises. The licence fee is determined by the council. City councils may also pass by-laws governing the conduct, management, and inspection of boarding houses. Similar provisions are contained in The Town Act, The Village Act, and The Rural Municipality Act.

ACCOMMODATION IN GENERAL

BUILDING STANDARDS

Living accommodation for older people, along with other housing, is subject to local building by-laws and regulations. Municipalities may pass by-laws governing the erection, classification, alteration and repair of buildings and may adopt a building code to establish standards of construction. These powers are granted to municipalities under The City Act, The Town Act and The Village Act. The City Act and The Town Act also provide that any building erected in contravention of a by-law, may be pulled down at the owners expense, on an order of the court.

HEALTH AND SANITATION

Housing accommodation in general must meet health and sanitary requirements established by provincial legislation and under local by-laws. Under The Public Health Act, Regulations are in force setting out the inspecting and related powers of medical health officers and sanitary inspectors; standards governing plumbing, water supply, ventilation and heating of buildings and premises are also contained in these Regulations. The Lieutenant-Governor in Council may also make regulations to prevent overcrowding of premises used for human occupation and specifying the required amount of air space per persons in such places.

FIRE PROTECTION

Provisions for fire prevention in dwelling accommodation including homes for the aged are contained in The Fire Prevention Act. Under this statute the Lieutenant-Governor in Council may make regulations respecting the prevention and extinguishing of fires, the provision and installation of safety devices, and adequate means of exit in buildings other than private dwellings, set apart for the care, custody or social welfare of persons. He may make similar regulations for hotels, boarding homes, apartment blocks and other places of public accommodation. At present fire prevention regulations governing hotels are in force.

The Act provides also that the provincial fire inspector or local fire authorities may, when it is deemed necessary, inspect all buildings and premises within their jurisdiction and order that any necessary action be taken to remove the danger of fire.

Local government authorities may pass by-laws for the prevention and extinguishing of fires. If the by-laws passed in any municipality are more exacting than provincial regulations under The Fire Prevention Act, they continue to govern in that municipality.

LIST OF STATUTES

The City Act, R.S.S. 1953, c.137, S.S. 1953, c.46; 1954, cc.28, 29; 1955, c.32; 1956, c.20; 1957, c.42; 1958, c.44; 1959, c.62.

The Department of Social Welfare and Rehabilitation Act, R.S.S. 1953, c.31; S.S. 1955, c.11.

The Fire Prevention Act, R.S.S. 1953, c.331; S.S. 1954, c.85; 1956, c.64; 1957, c.92; 1958, c.40; 1959, c.55.

The Hospital Standards Act, R.S.S. 1953, c.238; S.S. 1956, c.48; 1957, c.69; 1958, c.33; 1959, c.46.

The Housing Act, R.S.S. 1953, c.246; S.S. 1953, c.59; 1954, c.63; 1955, c.62; 1956, c.51; 1958, c.39; 1959, c.81.

The Public Health Act, R.S.S. 1953, c.230; S.S. 1954, c.58; 1957, c.67.

The Rural Municipality Act, R.S.S. 1953, c.140; S.S. 1953, c.49; 1954, c.32; 1955, c.35; 1956, c.23; 1957, c.45; 1958, cc.47, 99; 1959, cc.65, 109.

The Town Act, R.S.S. 1953, c.138, S.S. 1953, c.47; 1954, c.30; 1955, c.33; 1956, c.21; 1957, c.43; 1958, cc.8, 45; 1959, cc.63, 109.

The Village Act, R.S.S. 1953, c.139; S.S. 1953, c.48; 1954, c.31; 1955, c.34; 1956, c.22; 1957, c.44; 1958, cc.9, 46; 1959, cc.64, 109.

Regulations

Housing Act. - O.C. 895/57. General Regulations, Saskatchewan Gazette, May 3, 1957.

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11. ALBERTA

Housing

Low-rental Housing - Municipal
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Institutional Accommodation

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Municipal Homes for the Aged
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List of Statutes

A L B E R T A

Two statutes relate primarily to living accommodation for the elderly in Alberta, The Homes for the Aged Act, and The Home for the Aged or Infirm Act.

The Homes for the Aged Act provides for the construction of homes and housing projects for ambulatory older persons at provincial expense, on land contributed by groups of municipalities. These are municipally owned on completion and are operated by Foundations whose directors are municipal councilmen. The construction and operation of the homes and of the housing projects are discussed in separate sections of this chapter.

Provincial grants on behalf of elderly persons maintained by municipalities in private or municipal homes, or in low-rental housing projects are made under the Home for the Aged or Infirm Act. Municipalities are authorized by this statute to license, regulate, and control homes accommodating three or more aged or infirm persons; suggested standards of accommodation which may be adopted by municipalities exercising their authority under this statute are outlined briefly in a provincial model by-law. The Province also has the right under the Home for the Aged or Infirm Act to inspect homes for the aged, and a general power under the Department of Public Welfare Act to supervise welfare institutions. The Province may also operate homes for the aged under the latter statute.

A number of other statutes may also affect living accommodation for the elderly. The Housing Act authorizes municipal participation in public housing projects under Section 36 of the National Housing Act. Financial assistance by municipalities to charitable organizations is authorized by the various municipal Acts. Municipal licensing of lodging and boarding houses is made possible through The Houses of Public Accommodation Act and The Cities Act. Other provisions affecting housing are found in The Public Health Act and in The Fire Prevention Act.

HOUSING

LOW-RENTAL HOUSING - MUNICIPAL

The construction of low-rental housing for the elderly is part of the dual program authorized by The Homes for the Aged Act, 1959. The housing is intended for persons who are not incapacitated by chronic disease and are capable of maintaining their own households.

In the metropolitan areas of Calgary and Edmonton self-contained housing units for 400 elderly persons are being built as well as lodge or hostel accommodation for an equal number. Housing units designed for couples and for single women will be included in the projects. Each unit will be equipped with a stove and refrigerator, with the tenant providing the balance of the furniture. The housing and hostels in Edmonton are located on eight five-acre sites with combined accommodation for 100 persons in each. Calgary has two projects on 15-acre sites with accommodation for 300 persons in each, and one on a ten-acre site with accommodation for 200 persons. In the remainder of the Province, priority is being given to the construction of homes or hostels, with housing projects planned for the future.^{1/}

Under the master agreements entered into by the Province and the municipalities in the two metropolitan areas, the housing units, like the hostels, are being built and furnished at provincial expense on municipal land. They are to be operated by incorporated Foundations set up for the purpose in each city, with municipal councilmen as directors. Details on the authority vested in these Foundations are given below.

ASSISTANCE TO VOLUNTARY LOW-RENTAL PROJECTS

There is no specific statutory provision for provincial or municipal grants to corporations or voluntary organizations providing low-rental housing for the elderly. However, cities, towns, villages and municipal districts are authorized by their enabling Acts to make grants to charitable organizations. Grants of land with municipal services have been made by municipalities to groups building low-rental housing.

PUBLIC HOUSING PROJECTS

By the terms of the provincial Housing Act, cities and towns in Alberta are authorized to participate, through the Province, in public housing projects under Section 36 of the National Housing Act.

The provincial Housing Act provides for the establishment of a housing fund to which municipalities may contribute the amount they wish to make available for housing projects. The

^{1/} Housing projects outside Calgary and Edmonton are to be financed with the profits that are expected to result from the operation of municipal homes when they are fully occupied, and through donations from organizations such as service clubs and church groups. Municipalities are being asked by the Province to provide a site of not less than five acres for municipal homes, to provide space for the subsequent construction of housing units.

Province may then enter an agreement with Central Mortgage and Housing Corporation under which the municipal contributions to the fund are used as the 25 per cent share of capital costs which is borne by any partner participating in a project with the federal Government under the National Housing Act.^{1/} In addition to entering agreements through the Province, municipalities may enter agreements directly with Central Mortgage and Housing Corporation. The Province may incorporate local housing authorities with power to acquire and dispose of land and to plan, construct and manage housing projects. Any profits or losses from a project accrue to the municipality that is operating the project.

Under The City Act, city councils may provide for the construction of houses at a reasonable cost for sale or for lease to persons of moderate income. They may also undertake any housing scheme for which municipalities may receive assistance under federal or provincial statutes.

No units specifically designed for elderly persons have been included in public housing projects in Alberta.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES

The Public Welfare Act authorizes the Department of Public Welfare to acquire, maintain and operate homes for the aged and infirm. With the approval of the Lieutenant-Governor in Council the Minister may make regulations governing admission to provincial homes and may set the terms of arrangements with municipalities for the admission of their residents to such homes.

At present the Department of Public Welfare does not operate institutions specifically for older people. However, it is reported that the majority of the residents of the Gunn Welfare Centre are elderly men who are unable to care for themselves.^{2/}

Under The Public Welfare Act, also, homes for the aged and infirm may be established and maintained in improvement districts or special areas by the Minister of Municipal Affairs.

^{1/} See Chapter 2.

^{2/} The hostel at Gunn is one of three operated by the Province for destitute, single, homeless men who have no established residence; those requiring only temporary assistance or medical care are cared for in hostels in Edmonton and Calgary.

MUNICIPAL HOMES FOR THE AGED

Through a policy announced in August, 1958, and later embodied in The Homes for the Aged Act, 1959, the Alberta Government has, as noted above, undertaken to build and furnish 50 homes for the aged throughout the Province. These homes, all of which are being built on the basis of one plan, are intended for ambulatory older persons who are not able or do not wish to maintain their own accommodation, but are not incapacitated by chronic disease. The plan calls for a single storey U-shaped building with accommodation for 50 persons in single and double rooms; each home is estimated to cost some \$200,000 when furnished and landscaped.^{1/}

On completion, homes constructed under the program are municipally owned. A group of municipalities wishing to have a home built in their area enter a 'master agreement' with the Minister of Public Welfare, in which they undertake to provide the land required for the home and the Province agrees to begin construction of the home before a set date. The agreement also provides for the incorporation of a Foundation to be responsible for the operation and management of the home.

For the purpose of selecting locations for homes the Province has been divided into 50 administrative areas each having about 500 persons 70 years of age and over. Generally these areas lie within the boundaries of a single county or municipal district in the more densely populated parts of the Province, and within the co-terminus boundaries of a municipal district and one or more improvement districts in areas where the population is sparse. The Province negotiates agreements on the basis of these areas and any city, town or village within each may or may not, as it chooses, become a party to an agreement for that area.

Provincial-Municipal Cost Sharing

As indicated above, the cost of land required for a home is shared by the municipalities that are parties to the agreement under which it is being built. The municipalities participating in a master agreement are responsible for clearing and leveling the site chosen for a home and for providing the necessary municipal services. The services required include water and sewer mains, fire hydrants, gas mains, roads, curbs and gutters, sidewalks, telephone lines and street lighting. Municipalities are authorized to take any action necessary to

^{1/} Four lounges, a library, and an area for occupational therapy are included in the plan. By the end of 1960, some 33 homes had been built. Photographs and floor plans of municipal homes are given, with details on the homes for the aged program in "Homes for the Aged, Alberta", published by the Department of Public Welfare in 1960.

carry out their obligations effectively under a master agreement. They may raise money for capital expenditures out of general revenue or through debentures or temporary loans, and may levy taxes for re-payment of loans.

When agreement is reached on building a home, the site chosen is deeded to the Province. The home is built under the direction of Department of Public Works and on completion is transferred to the Foundation that will be responsible for its operation.

In its agreement to bear the costs of constructing, furnishing and equipping homes, the Province includes the costs of building access roads and sidewalks and of installing any necessary street lighting within the project. The Province is also authorized by the Act to assume part or all of the costs of the buildings that are on a site when it is acquired for a home, if these buildings are approved by the Minister of Public Welfare for use by the home. At Red Deer, for example, a home formerly operated by a voluntary organization has been purchased by the Province and will, in the future, be operated by a municipal Foundation.

Administration

The Foundations which operated municipal homes are incorporated by the Lieutenant-Governor in Council and are granted all the powers of a corporation under Section 14 of the Interpretation Act, 1958.^{1/} They are granted specific authority by The Homes for the Aged Act to operate and manage homes and housing units and to enter contracts for this purpose with

^{1/} Section 14 of the Interpretation Act reads as follows:

14. Words in an enactment establishing a corporation

- (a) vest in the corporation the power to sue and be sued, to contract and be contracted with by its corporate name, to have a common seal and to alter or change it at pleasure, to have perpetual succession, to acquire and hold personal property or movables for the purposes for which the corporation is constituted and to alienate the same at pleasure,
- (b) vest in a majority of the members of the corporation the power to bind the others by their acts, and
- (c) exempt from personal liability for its debts, obligations or acts, such individual members of the corporation as do not contravene the provisions of the enactment incorporating them.

the municipalities that are parties to a master agreement. Their powers are further spelled out in the charter which is granted when they are incorporated.

The directors of each foundation are council members nominated by the municipalities which own the home; the number each municipality may have on the Foundation is set out in the master agreement.^{1/} The directors are required to hold an annual meeting at least once each calendar year, not less than 10 months after the previous such meeting.

By-laws governing the administration of each Foundation are made by its board of directors. Specifically, these may govern the holding of annual and special board meetings, and may provide for the election of a chairman of the board and for the appointment of a vice-chairman, a secretary, a treasurer, and other officers that the Foundation may require. The method of appointing employees of municipal homes may also be set out in by-laws and, subject to provincial regulations, the salary scales and conditions of employment of these employees. The Foundations may also prescribe, within provincial requirements, the forms used and the records kept by homes.

Foundations may borrow money by promissory note or bank draft or, with provincial approval, by the issue of bonds or debentures; they may mortgage their property for this purpose. Property may be purchased only with the approval of the Minister of Public Welfare and the majority of the municipalities that are members of a Foundation. The Minister's approval is also required for the sale of land granted to a Foundation by the Crown, or of land on which construction of housing units or homes has been begun. Construction of buildings on land owned by a foundation and alterations or additions to municipal homes also require ministerial approval.

Gifts of property may be accepted by a Foundation, but if there is a condition attached to the gift or if it is land adjacent to property owned by the Foundation the approval of the Minister is required. He in turn may place conditions on acceptance of the gift.

Day to day management of each municipal home is the responsibility of a board of management appointed by the directors of the Foundation owning it. The board consists

^{1/} The directors serve without remuneration, but may be granted travelling and living allowances.

of two directors of the Foundation, with the balance of its membership drawn from the community. It may include representatives of religious, charitable and fraternal organizations. In addition to managing the daily operations of the home, the board is responsible for securing the participation of service and other community groups in its recreational and other programs. In this way it is hoped that residents of the home will be able to maintain greater contact with the community.

Provincial Supervision

Regulations may be made under The Homes for the Aged Act governing the appointment of directors of Foundations and the appointment of boards of management. Such Regulations may also govern the equipping and furnishing of homes and housing units and the method of computing the costs of maintaining persons in them. No Regulations of this kind have yet been made under the Act.

A standard bookkeeping system for municipal homes has been developed by the Department of Public Welfare. While it is not mandatory that this system be adopted by the homes, it is suggested that they do so to standardize procedures and facilitate the submission of reports to the Province. The Province has also suggested certain basic records to be kept by each home on its residents.

The Department of Public Welfare inspects the homes regularly to ensure that standards are maintained and is prepared to provide advice on matters relating to the homes.

A foundation must furnish the Minister of Public Welfare and the municipalities which make up its membership with an annual financial statement showing its revenues and its administrative and operating expenses for the preceding calendar year. The report must be submitted not later than March 31 each year.

The Province also requires a monthly financial report on the operation of each home including a statement of the number of residents. Data obtained from these reports is used in planning future development of the provincial program.

Admission

In accepting applications for admission, first consideration must be given to applicants in need of the type of accommodation available. Subject to this condition, residents of municipalities participating in the home under a master agreement have a prior right to admittance over other persons.

An admission form has been designed by the Department of Public Welfare for use by municipal homes. In it the date and place of birth of the applicant for admission are given, with his marital status, religion, racial origin and length of residence in Alberta. Information is also given on the income available for his maintenance and the name and address of a relative or friend to be notified in case of emergency. A medical certificate which accompanies the application includes a physician's statement on the physical and mental suitability of the applicant for residence in the home.

Maintenance

Municipalities contributing to the support of any of their needy residents in a municipal home are reimbursed by the Province for 80 per cent of their expenditures. This aid is authorized by both The Homes for the Aged Act and The Home for the Aged or Infirm Act.^{1/}

A person receiving Old Age Security or Old Age Assistance, or a provincial Supplementary Allowance must contribute these for his maintenance, less the sum of \$10 per month which he may retain for personal comforts. This is also true for recipients of a Blind Person's Allowance, Disabled Person's Pension or Allowance, or Widow's Pension. The provincial grant is based on the net cost to the municipality after allowing for this contribution by the person receiving care. Residence requirements for persons on whose behalf a grant is made are outlined below.

The rates charged for the maintenance of residents in municipal homes may not exceed \$60 per month for bedrooms with double occupancy and \$65 per month for single rooms. Persons whose only income is derived from Old Age Security plus the Provincial Supplementary Allowance of up to \$15 monthly may not, however, be charged more than \$60 per month in any case. According to reports, it is expected that homes which are fully occupied and efficiently managed will be self-supporting or will show a slight profit if these rates are charged.

A person who resides in a municipality which is not a member of a Foundation operating a home may not be charged a higher rate for maintenance in a home than residents of such municipalities. However, persons who have not gained provincial residence as defined in the Public Welfare Act,

^{1/} The provincial maintenance grant may also be paid on behalf of residents of municipal low-rental housing projects.

or have not resided in the Province for a sufficient length of time to qualify for an allowance under the Supplementary Allowances Act, may be charged an additional \$5 per month for both single and double rooms.^{1/}

Deficits and Surpluses

When the operating costs of a home exceed its revenue, the deficits are borne entirely by the municipalities participating in the home under the master agreement. As noted above, a limit is set on revenue by the requirement that boarding rates not exceed specified amounts. The amount of the deficit that each municipality sharing in the ownership of a home is required to bear is in the same proportion to the total deficit as the latest assessed value of the lands and improvements in it bears to the total of these in all of the participating municipalities. Each municipality may appropriate its portion of the deficit from general revenues and each must pay its share within 90 days of being notified of the amount it owes.

When a resident of a municipality is cared for in a home operated by a Foundation of which it is not a member, the municipality must bear a portion of any deficit arising during the year from operation of the home. The portion of the deficit charged to such a municipality is obtained by dividing the total deficit by the average number of persons in the home during the year and multiplying this amount by the number of residents of the municipality residing in the home during the year.

Regulations governing the method of computing the costs of maintaining persons in municipal homes may be made by the Province; such Regulations may also govern the disposal or accrual of surpluses resulting from the operation of homes. No regulations have been made for either purpose. The ways in which Foundations may invest their surpluses are however set out in the charter under which they are incorporated.

VOLUNTARY HOMES FOR THE AGED - FINANCING

Provincial Capital Grants

While the Province pays the full cost of constructing municipal homes, there is no program of provincial capital grants to voluntary groups erecting homes for the aged in Alberta.

^{1/} To establish residence under the Public Welfare Act one must have resided in Alberta without public support for 12 of the 24 months prior to applying for aid. Under the Supplementary Allowances Act an applicant must have resided in the Province for the greater portion of the three years immediately preceding application for the allowance.

Municipal Grants

In addition to establishing and maintaining homes under The Homes for the Aged Act, all municipalities are authorized by their enabling Acts to make grants to charitable organizations, welfare societies or any organizations or associations which they consider to be active in the promotion of general social welfare. Towns and villages may provide for the payment of grants out of current revenue to charitable institutions with the amount of any grant determined by the municipality. Municipal districts and counties may also make grants to charitable organizations, but grants of all kinds may not exceed \$2500 in any one year for a county and a sum equalling one-half of a mill on its net assessment for a municipal district.

A city council may rent or lease land or buildings to a welfare organization or service club at less than a fair rental value if, in the opinion of the council, the organization is carrying out activities beneficial to the city.

Tax Exemptions

There is no reference in legislation to exemption of homes for the aged from municipal taxation. However, under the Assessment Act, property to be exempted from taxation includes the land belonging to any municipality when it is held for the public use of the municipality. This includes municipal homes for the aged.

Maintenance of the Needy in Homes

If a municipality contributes to the support of any of its elderly residents in a home for the aged a grant of up to 80 per cent of the amount paid by it may be made by the Province.^{1/} As in the case of municipal homes, payment of this grant is authorized by both The Homes for the Aged Act and The Home for the Aged or Infirm Act. The latter requires that private homes offering care for which a grant is made be municipally licensed and meet any standards set or approved by the Minister of Public Welfare, covering accommodation, boarding facilities, sanitation, toilet and bathing facilities, fire protection or other matters relating to the care of the aged.

^{1/} The Province pays the entire cost of maintaining needy persons from unorganized territory.

The payment on which a grant is based may not exceed \$2 per day for an ambulatory patient, \$4 per day for a bed patient not requiring special attention and \$5 per day for a bed patient requiring special attention. Maintenance costs may include the costs of food, shelter, bed services, personal clothing and drugs provided by the home.

Regulations regarding recipients of statutory allowance or a provincial Supplementary Allowance are the same as for those in municipal homes; that is, they are required to contribute the amount of these allowances, less the sum of \$10 per month which may be retained for personal comforts. In such cases the provincial grant is based on the net cost to the municipality after allowing for this contribution by the person receiving care.

Residence Requirements. For purposes of a provincial grant, the municipality of residence of a person admitted to a home is the municipality in which he has resided without assistance from public funds for 12 of the 24 months preceding his admission. If, when admitted, a person is receiving public assistance or has received it within the previous 12 months, he is considered a resident of the municipality liable for the assistance. Pensions based on services performed and allowances granted under federal Acts, under the provincial Mothers' Allowances Act, the Workmen's Compensation Act, the Widows' Pensions Act or the Alberta Disabled Persons' Pensions Act, are not treated as public assistance for this purpose. A person does not gain residence in a municipality as a result of a period of residence in a municipal or private home supported in whole or in part by public funds.

VOLUNTARY HOMES - LICENSING AND INSPECTION

Provincial Supervision

While the supervision and licensing of voluntary or proprietary homes for the aged and infirm is a municipal responsibility, general authority to supervise welfare institutions is granted to the Department of Public Welfare. Under its departmental statute, the Department may investigate, inspect and report upon all agencies, organizations or institutions in the Province which have for their object the social welfare or care of people, and which are not under the control of another department.

Municipal Licensing of Homes

Municipalities are authorized by The Home for the Aged or Infirm Act to license homes accommodating three or more aged or infirm persons. This authority is used by municipal

districts, counties and the major cities and towns in the Province. No person may operate a home in a municipality which has such a by-law without obtaining a licence, and any person operating a home when a by-law comes into force must cease operation within one month, unless he obtains a licence. Failure to comply with the Act may result in a fine of \$25 on summary conviction, or imprisonment for up to 30 days in default of payment.^{1/}

Application for a licence is made in writing to the municipal council, and must include a full description of the premises to be used as a home and indicate the number of persons to be accommodated. Each application must be accompanied by a prescribed licence fee which is returned if the application is refused. The licence, which expires on January 1 each year, must state the maximum number of persons to be accommodated in the home. A municipal council may refuse to grant a licence, or may suspend or cancel one already granted.

Inspection

Licensed homes must keep books and records in the form prescribed from time to time by the municipal councils.^{2/} These books and records, as well as the premises must at all times be open for inspection by officers appointed by the Department of Public Welfare or by the councils.

STANDARDS IN HOMES FOR THE AGED

Standards in Municipal Homes

As noted above, regulations governing the equipping and furnishing of municipal homes may be made by the Lieutenant-Governor in Council under the Homes for the Aged Act, but none have been made. Since municipal homes are now erected at provincial expense, the standards maintained in their construction are subject to provincial control.

Standards in Voluntary Homes

Municipalities are authorized by the Home for the Aged or Infirm Act to regulate the management, and operation of private homes and accommodation in them.

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- ^{1/} Regulations fixing licence fees and prescribing the form of licences may be made by the Province, but no regulations of this kind are in effect at present.
 - ^{2/} Provincial regulations prescribing books and records to be kept by licensees of private homes may be made under the Homes for the Aged Act. None have been made yet.

In regulating homes a municipality may adopt as part of its standards a model by-law drawn up by the Province. The model by-law states that any home licensed under its provisions must maintain the standard and conform to regulations made from time to time by the Minister of Public Welfare. Under the by-law itself, accommodation in a home must be sufficient to allow 400 cubic feet of air space for each person receiving care. Boarding facilities are required to be adequate and there must be sufficient staff to give proper service to all residents. The home must be kept clean, sanitary and free from vermin, and have adequate toilet and bathing facilities for all residents. Medical attention, not including hospital services, is to be available when necessary. Homes must be inspected at least once every three months by the local fire department and certificates of approval relating to fire protection and escape facilities obtained.

Fire Prevention in Municipally Licensed Homes for the Aged

Detailed regulations governing fire prevention in municipally licensed homes for the aged have been issued under the Fire Prevention Act. Certain provisions of the regulations apply to all licensed homes while others do not apply to existing homes, except on the written order of the Provincial Fire Commissioner or his inspectors.

In all homes safety rules and a plan for the protection and evacuation of residents in case of fire must be posted. Employees are to be instructed in their duties relating to fire safety and trained in the proper use of fire extinguishing equipment, with fire drill being held each month. The Superintendent of each home is required to test the fire alarm system each week, inspect all fire extinguishing units each month and have heating equipment and chimneys inspected every six months; a written record is kept of all tests and inspections.

Only safety matches may be issued to the residents of any home and smoking may not be permitted in sleeping quarters, except under supervision. Pilot lights and metal stands must be provided for irons and other portable electrical appliances, and metal containers with covers for the collection of all combustible wastes.

Under the Regulations, plans and specifications for new homes or for additions and alterations in existing ones must be submitted to the Provincial Fire Commissioner before construction begins and be complete enough to show compliance

with the Regulations. The bulk of the Regulations are concerned with the structural aspects of homes, heating units in them and fire prevention equipment provided; as noted above, these regulations do not apply to existing homes, except on the written order of the Fire Commissioner.

For example, height and area limitations in homes must conform to the provisions of the National Building Code. There may not be more than one person for each 150 square feet of floor space in a home and one person for each 75 square feet in a dormitory. Homes of partial or entire frame construction must be subdivided into units of not more than 6,000 square feet of floor area, divided by fire walls of not less than two hours fire resistance rating. Corridors must be divided into 150 foot units separated by smoke barrier partitions and self-closing doors. There must be at least two exits provided for each floor of a home, with exit by means of doors opening outward; additional exits are required for homes accommodating more than 120 persons. Minimum widths for exits, aisles and corridors are specified, with special widths for corridors through which beds have to be moved. Stairways must be enclosed by material of $1\frac{1}{2}$ hours resistance rating, as must central refrigeration units, transformers, laundries and shops. Use of combustible wall board for interior surfaces is prohibited, except for limited amounts of decorative wood panelling.

The regulations also relate to the type of heating and cooking units that may be used and require that a furnace or boiler room be located on an outside wall and be separated from the rest of the building by floors and partitions of $1\frac{1}{2}$ hours resistance rating and self-closing doors.

The regulations specify the number and type of fire extinguishers to be provided in homes and require that homes of 2 or more stories or those where bed accommodation is provided on more than one floor, be provided with a stand-pipe and hose system. A home accommodating 10 or more persons must have an automatic fire alarm system of approved design, including buzzer or visible alarm devices sufficient to alert the occupants. A home, in lieu of having the specified fire walls and prescribed hose and alarm systems, may have an automatic sprinkler system of approved design installed; this Regulation applies to all homes.

TRANSFER TO HOMES FOR THE AGED

Measures of importance in the movement of patients from hospitals to homes for the aged are contained in the Hospitals Act, under which a patient may be moved from a hospital to

other accommodation if in the opinion of the superintendent or attending physician he is no longer in need of hospital care. In such cases the hospital must request that the municipality in which the patient is resident remove him from the hospital within ten days and make any other arrangements for his care that may be necessary. Should the municipality neglect to make the necessary arrangements it becomes responsible for public ward charges for the patient, notwithstanding provisions in the same Act which limit such charges to \$400.

Admission to accommodation other than a hospital, such as an institution for the aged, is by contract between the local authority and the institution to which the patient is admitted.

BOARDING HOMES

Private boarding homes caring for three or more aged or infirm persons are subject to municipal licensing and inspection under the Home for the Aged and Infirm Act, as outlined above for institutional accommodation. These homes must also meet any standards which may be required by municipalities under this Act, including those outlined in the provincial model by-law.

LODGING HOUSES

Control of lodging house accommodation may be exercised by cities, towns and villages under the Houses of Public Accommodation Act.

The Act authorizes municipal licensing and regulation of any place which offers meals or lodging to the public for a charge, including boarding and lodging houses. By-laws may prohibit the granting of a licence to any applicant who is not of good character or whose premises are not suitable for the purpose intended. They may also set the length of time any licence shall be in force and the fee to be paid for it. Councils may revoke licences without disclosing the reason for revocation, when it is considered desirable. Penalties may be prescribed for failure to obtain a licence.

City councils are also authorized by the Cities Act to license and regulate rooming and boarding houses. Any person wishing to maintain a place of public accommodation must submit an

application for a licence to the city with such information as may be required by the city council. A licence is granted if the council is satisfied that the applicant is a fit and proper person to operate such a place and that the premises to be used are necessary and suitable for the purpose. Licences must be renewed annually, must be displayed in a conspicuous place and may be cancelled or suspended if it is deemed advisable.

A person failing to comply with licensing provisions is guilty of an offense and liable on summary conviction to a fine not exceeding \$100.

By-laws under the Cities Act governing rooming and boarding houses must include such regulations as the Lieutenant-Governor in Council may require a municipality to adopt under the authority of the Fire Prevention Act. When a municipality does not make such by-laws those governing hotels under the Fire Prevention Act apply.

ACCOMMODATION IN GENERAL

BUILDING STANDARDS

The Cities Act and The Towns and Villages Act grant city, town, and village councils power to pass by-laws establishing building standards. By-laws under The Cities Act may provide for the adoption of the National Building Code by the city. A city council may also authorize the issue of building permits, the appointment of building inspectors and the removal of buildings dangerous to public health or safety. Occupants may also be removed from unsafe premises.

Towns and villages may pass zoning by-laws and in any zoned area may govern matters such as the type and minimum standards of construction, density of population, size of rooms and means of lighting and ventilation; a town or village may also establish a system of building permits.

HEALTH AND SANITATION

Subject to the approval of the Lieutenant-Governor in Council, the Provincial Board of Health may issue regulations under the Public Health Act governing cleaning, lighting, heating, ventilating, plumbing and disinfecting of houses. Regulations may also be made for prevention or removal of

nuisances. Regulations now in force govern plumbing, over crowding, amount of air space per resident, and heating and ventilation in sleeping rooms. The Act provides for the inspection of housing, and under the regulations occupants may be required to vacate a building unfit for habitation until the owner makes any repairs necessary to remove unsatisfactory conditions.

Under the Cities Act a council may require that premises be kept in a proper sanitary condition and may provide penalties for failure to do so, including forcible removal of occupants and closing of buildings.

FIRE PREVENTION

The Provincial Fire Commissioner and his staff, who are appointed under The Fire Prevention Act, are authorized by that Act to enter any building for inspection purposes. They may order that action necessary to remedy an unsatisfactory situation be taken, including the removal or repair of an unsafe building.

Municipalities may pass by-laws under their enabling Acts governing fire prevention. If such by-laws are enacted in a municipality, provincial fire officers are not required to exercise authority in the municipality over matters governed by the by-laws.

LIST OF STATUTES

The Assessment Act, R.S.A. 1955, c.17; S.A. 1957, c.5;
1958, c.3; 1959, c.4.

The Cities Act, R.S.A. 1955, c.42; S.A. 1957, c.7; 1958,
c.9; 1959, c.8.

The County Act, R.S.A. 1955, c.64; S.A. 1958, c.12; 1959,
c.12.

The Fire Prevention Act, R.S.A. 1955, c.115.

The Homes for the Aged Act, S.A. 1959, c.29.

The Home for the Aged or Infirm Act, R.S.A. 1955, c.141;
S.A. 1958, c.25; 1959, c.29.

The Housing Act, R.S.A. 1955, c.149; S.A. 1959, c.35.

The Houses of Public Accommodation Act, R.S.A. 1955, c.252.

The Municipal District Act, R.S.A. 1955, c.215; S.A. 1957,
c.58; 1958, c.47; 1959, c.55.

The Public Health Act, R.S.A. 1955, c.255; S.A. 1957, c.69;
1958, c.63; 1959, c.66.

The Public Welfare Act, R.S.A. 1955, c.268; S.A. 1957, c.76;
1958, c.70.

The Department of Public Welfare Act, R.S.A. 1955, c.269.

The Town and Village Act, R.S.A. 1955, c.338; S.A. 1957,
c.99; 1958, c.87; 1959, c.90.

Regulations

Regulations under the Home for the Aged or Infirm Act, Alberta
Reg. 800/57, Alberta Gazette, February 15, 1958.

Regulations under the Fire Prevention Act,
Part II, Old Folks Homes, Alberta Reg. 34/61,
Alberta Gazette, February 15, 1961.

12. BRITISH COLUMBIA

Housing

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BRITISH COLUMBIA

Measures affecting living accommodation for the elderly in British Columbia, as in most of the provinces, may be classified in three broad groups; those that apply to low-rental housing, those that govern homes for the aged and those that apply to living accommodation in general.

Low-rental housing projects which enable older persons of limited income to live independently in their own communities play an important role in British Columbia. Through the Elderly Citizens Housing Aid Act, financial assistance in the form of capital grants is made available by the Province to municipalities and non-profit corporations sponsoring such projects. Municipal participation in projects of this kind is authorized by the Municipal Act. The provincial Housing Act, under which the Province and its municipalities may participate in public housing projects authorized by Section 36 of the National Housing Act, is also relevant since such housing may include some accommodation for the elderly.

Four major statutes are of interest in considering institutional accommodation for the elderly. Under the Provincial Home for the Aged and Infirm Act, the Province maintains a home for elderly men at Kamloops. Charitable institutions and proprietary boarding homes which care for elderly unemployable persons receiving some form of public assistance are licensed and supervised under the Welfare Institutions Licensing Act and its Regulations. Capital grants for hostel accommodation are made under the Elderly Citizens Housing Aid Act, mentioned above, and persons unable to meet the costs of their maintenance in homes for the aged are aided in so doing through the Social Assistance Act.

Statutes that apply more generally, such as the Municipal Act, the Health Act and the Fire Marshal Act, cover a number of matters, including building standards, sanitation of premises and fire prevention. They afford protection to the elderly living in welfare institutions and in boarding or lodging houses, and they may also be relevant for older persons who live in their own homes or in commercially rented quarters.

HOUSING

LOW-RENTAL HOUSING - PROVINCIAL ASSISTANCE

The Elderly Citizens Housing Aid Act, 1955, embodied in statutory form a policy of provincial assistance to living accommodation for the elderly that had been in effect since

1945. Prior to 1955 the projects to be assisted were considered on an individual basis and the assistance varied from 25 per cent to 50 per cent of the costs of a project. Since 1955 the maximum amount available has been set at one-third of costs. During the period from 1945 to December, 1959, accommodation for more than 2,300 persons has been assisted under this program, including self-contained housing units for 1,580 persons and accommodation in homes for the aged for 740 persons.

The Act is administered by the Provincial Secretary's Department.

Organizations Eligible for Assistance

Aid may be granted under the Act to a municipality or to a non-profit corporation providing housing for elderly citizens of low income who are unable to purchase adequate accommodation. Eligible non-profit corporations include organizations of recognized standing such as religious, service or fraternal organizations, and societies incorporated under the Societies Act for the express purpose of constructing, reconstructing, or acquiring low-rental housing units for elderly citizens of low income.

Residents of Projects

Residents of assisted projects must be ambulatory persons whose medical needs can be cared for by a visiting medical practitioner. Occupancy is also limited to elderly persons whose total fixed income from all sources does not exceed the equivalent of 140 per cent of the Old Age Assistance Allowance plus the British Columbia cost of living bonus.^{1/}

Amount of Assistance

A grant may not exceed one-third of the total cost of construction or reconstruction of a project. In addition to the actual costs of construction, architects' fees may be included for purposes of a grant and also the costs of side-walks and landscaping, if the latter are approved by the Provincial Secretary. Organizations may also include the cost of the land if it has been previously agreed that such costs should form a part of the estimated total cost of the project, but this assistance may not be granted for land owned by a municipality. Also, when the appraised value of land is

^{1/} The Old Age Assistance Allowance is currently \$55 per month and the cost of living bonus \$24 per month.

higher than the purchase price the provincial grant only covers the cost of the land to the sponsoring organization. With the exception of bathroom facilities, plumbing, sinks, stoves, and electric-lighting and heating fixtures, the costs of equipment or furnishings may not be included in the total costs upon which assistance is based.

Financing

No grant is made unless the municipality or non-profit corporation sponsoring the project makes a cash contribution towards the cost of construction or reconstruction equal to at least one-tenth of the total cost. This is to ensure that sponsoring organizations in receipt of long-term low-interest loans under Section 16 of the National Housing Act as well as a provincial grant will have some investment in their projects. It also makes possible a low rental by reducing the mortgage to be carried on a project.^{1/}

Municipalities and voluntary sponsoring organizations must assume full responsibility for any deficit arising from the operation of a project. They must also agree not to distribute any operating profits by way of a dividend but to apply them to the improvement of the project or to a reduction in rentals.

Conditions of Assistance

Assisted projects may not be used for any purposes other than those approved under the Act. If they are used for other purposes any assistance granted must be refunded. Also, a project which has received assistance under the Act may not be sold or transferred without the approval of the Lieutenant-Governor in Council. If a project is sold, one-third of the proceeds or cash consideration of the sale must be paid to the provincial Government.

Procedure in Granting Assistance

Application for assistance under the Act is made to the Provincial Secretary. A site plan of the project showing the location of the buildings on the site must be submitted along

^{1/} As indicated in Chapter 1, loans under Section 16 of the National Housing Act may cover as much as 90 per cent of the lending value of a project. However, since the provincial grant plus the initial contribution by the sponsoring group amounts to $43 \frac{1}{3}$ per cent of costs, a federal loan of only $56 \frac{2}{3}$ per cent of the total cost is required for any project financed under the Elderly Citizens Housing Aid Act.

with plans and specifications which have been prepared by an architect. The plans must show the construction and equipment of each building, and the number and arrangements of dwelling units in each. When a project has been approved, the sponsor enters a contract with the provincial Government setting forth the conditions of assistance. Claims for portions of the assistance may be submitted as construction progresses, each claim being supported by the certificate of an architect and signed by two officers of the sponsoring organization.

Rentals

The rentals or boarding rates to be charged must conform to the intent of the Act and Regulations; that is, the provision of housing for those with low incomes who are unable to afford adequate accommodation. Proposed rentals or boarding rates are stated in the application for the grant and they may not exceed these amounts, except with the prior approval of the Provincial Secretary.

Supervision and Inspection

Sponsoring organizations must give assurance that reasonable supervision of their project will be maintained. An audited financial statement must be submitted annually by the sponsor to the Provincial Secretary. Any project which has received aid may be inspected at any time by a person appointed for the purpose by the Province. Inspection of low-rental housing projects is now the responsibility of the Chief Inspector of Welfare Institutions who is also responsible for the inspection of homes for the aged.

LOW-RENTAL HOUSING-MUNICIPAL ASSISTANCE

Cities, towns and municipal districts are authorized by the Municipal Act to provide accommodation for the aged. Under this statute they may establish homes or special rental projects for the aged, infirm and disabled; they may set up boards of management to operate such projects and may fix the terms and conditions under which such accommodation may be made available.

There is no specific reference in the Municipal Act to municipal grants in aid to private housing projects for older people, but a grant may be made to any organization contributing to the general interest and advantage of the municipality. It has been common practice for municipalities to donate land to organizations sponsoring housing projects for the elderly or to sell it to them at its assessed value.

TAX EXEMPTIONS

Under the Municipal Act, the land and buildings of low-rental housing projects built by non-profit organizations with the aid of provincial grants under the Elderly Citizens Housing Aid Act are exempt from municipal taxation. This exemption, however, does not extend to charges made for utilities.

PUBLIC HOUSING - PROVINCIAL PARTICIPATION

Through the provincial Housing Act the Lieutenant-Governor in Council or any Minister appointed by him may enter agreements with the federal Government, or a municipality for the joint undertaking of public housing projects under Section 36 of the National Housing Act.^{1/} The Province may set up local housing authorities to plan, construct and manage projects, and may raise the money required for the provincial contribution, up to five million dollars, through debentures, treasury bills or British Columbia stock. It may also make payments to municipalities in lieu of property taxes that would otherwise be levied on projects, up to the proportion of the provincial share of the costs of a project.

PUBLIC HOUSING - MUNICIPAL PARTICIPATION

The provincial Housing Act also enables municipalities to participate in public housing projects under Section 36 of the National Housing Act. They may pay their share of the annual losses on such projects from general municipal revenues. Municipalities participating in such projects may also adjust taxes on them, expropriate land and provide municipal services for them.

Units specifically designed for elderly persons have been included in two public housing projects in the City of Vancouver and there are plans to include such units in future projects.

INSTITUTIONAL ACCOMMODATION

PROVINCIAL HOMES

Under the Home for the Aged and Infirm Act, the provincial Department of Social Welfare operates a home for elderly men at Kamloops. The home, which was established by statute in

^{1/} See Chapter 2.

1893, accommodates approximately 150 men; facilities include a private room for each resident, common rooms with recreational facilities and a library.

Under its statute the home is authorized to care for destitute men who have not established residence in a municipality and are unable to maintain themselves because of chronic illness or other continuing physical inability. Applicants must be lacking in means sufficient to obtain the necessities of life or unable to find suitable accommodation through their own efforts. They must have been residents of the Province for at least one year preceding their application and must not be legally entitled to maintenance by any resident who is able to provide it.

While the home is intended primarily for men without municipal residence, a municipality may request that any of its residents be admitted to the home. The Minister may order that an applicant who is not strictly eligible be admitted to the home, if he is satisfied that the case is a meritorious and proper one. However, in no case may a "habitual drunkard, lunatic, idiot, or any person having a contagious, infectious or loathsome disease" be admitted.^{1/}

Maintenance of Residents

The net cost of maintaining persons without municipal residence is met by the provincial Government. Municipalities are required to pay 15 per cent of the cost of maintaining their residents in the home; the amount charged is based on the average cost per resident. Municipal residents are transferred to the home at the expense of their municipality.

Recipients of Old Age Assistance or Old Age Security retain \$5 from their cheques for personal needs and contribute the balance toward the costs of their maintenance.

Residents of the home who would otherwise be receiving social assistance may be granted a comforts allowance of \$5 per month, the cost of which is shared for municipal cases by the Province and the municipalities, the provincial share

^{1/} The wording of the statute is probably indicative of the fact that it was enacted more than half a century ago. Reports indicate that the home cares primarily for those who are able to take some measure of responsibility for their own care. There is no accommodation in the home for bed patients other than a small infirmary for emergency care in cases of acute illness.

being 90 per cent.^{1/} Clothing is provided when needed, as well as tobacco, matches and other personal needs.

Applicants' Property. Before being admitted, an applicant may be required to pay or transfer to the Province all or part of his money or property. A resident who acquires either of these after entering the home must notify the superintendent and may be required to transfer them to the home. They are held in trust for the resident, but the expenses of his maintenance, any comforts allowance paid to him, and if necessary, his burial expenses may be deducted from them. Charges for maintenance are based on the average per diem cost of maintaining a resident during the previous fiscal year.

Any balance of money or property remaining on the discharge or death of a resident is returned to him or transferred to his personal representative.

Regulations governing the administration of residents' estates or the recovery of costs of maintenance from a resident, his estate, or a municipality may be made under the Act.^{2/}

Admission Procedure

An applicant for admission is required to provide a declaration that he is in need of care in the home. Affidavits are required from two reliable witnesses verifying that the applicant is a resident of the Province and that he is not under any disability, such as drunkenness, that would prevent his admission. A medical certificate of incapacity for self-maintenance and of freedom of disease and other disabilities that prevent admission is also required.

A social study is completed for each applicant by provincial or municipal welfare officials.^{3/} Completed applications are forwarded to the provincial Director of Welfare on whose approval admission is granted.

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- 1/ The ten per cent municipal share is borne by municipalities throughout the Province on a per capita basis, under the social assistance program.
 - 2/ The Act makes several references to authority for making Regulations but apparently none have been made.
 - 3/ The study includes information on the family background and on the education, training and employment, personality, habits and interests of the applicant. Information is also obtained on racial origin, relatives, religion, and property, assistance or income. A recommendation for or against admission is also included in this report.

Administration of the Home

The superintendent of the home is appointed under the Civil Service Act. By statute it is his duty to superintend the physical and moral welfare of the residents, to supervise the internal management of the home and to maintain discipline and observance of its rules and regulations. The superintendent and other staff members possess all the powers of police officers in the home and about its premises.

Regulations governing management of the home, including conditions of admission and discharge may be made by the Lieutenant-Governor in Council, but this has not been done.

Medical Care

The Department of Social Welfare may enter a contract with a medical doctor to act as physician and surgeon for the home. He is to visit the home regularly and to attend when needed. If in his opinion a resident would be benefited by transfer to a hospital he may arrange this through the Department of Social Welfare.

Leave from the Home

While placements in the home are expected to be permanent, reports indicate that many of the men spend long periods, in some instances the greater part of the summer, away from the home. They are considered "on leave" and re-admission is arranged without the formality of completing further forms.

Rules of the Home

A resident who is guilty of misconduct or who violates any regulation may, under the Act, be temporarily or permanently discharged or be given such other penalty as may be provided by regulation.

Program and Activities

Religious services of all denominations are arranged in the home.

Reports indicate that a library and common rooms with recreational facilities are open at all times, that other entertainment such as moving pictures and recordings are frequently provided, and that visitors are welcome at all times.

Records and Returns

The superintendent is required to report monthly and annually to the Minister of Social Welfare on the condition of the home and its financial position. In his annual report he may make suggestions for improvement of the home. The superintendent must also prepare statement each year showing the number of residents in the home, their former places of residence, the date of any admissions, deaths, or discharges, and a statement on the average cost of maintenance per resident.

MUNICIPAL HOMES

Under the Municipal Act, 1957, cities, towns or district municipalities may establish homes for aged, infirm and disabled persons. They may purchase or lease property for this purpose and may construct and maintain the necessary buildings. The municipalities set the conditions under which accommodation in the homes is made available.

There are ten municipal homes operated in the Province, most of them by cities, with a total capacity of about 300 beds.

FINANCING HOMES FOR THE AGED

Provincial Grants

Provincial assistance available for housing under the Elderly Citizens Housing Aid Act, 1955, is also available for homes for ambulatory older persons. Under this Act, which is administered by the Provincial Secretary's Department, grants of up to one-third of the costs of construction or reconstruction may be made to municipalities or voluntary organizations building homes. The occupants of assisted homes must be ambulatory and their medical needs must be such that they can be cared for by a visiting medical practitioner. The details of this program are described above, under "Low-rental Housing Projects-Provincial Assistance".

As noted earlier, up to December, 1959, grants had been made for homes accommodating a total of 740 elderly persons.

Municipal Grants to Charitable Institutions

The Municipal Act authorizes municipalities to grant aid to charitable institutions either within or outside their limits. This action requires the affirmative vote of at least

two-thirds of the members of the council. A municipality may borrow the money required for a grant, and may, as a condition of aid, require representation of the municipal council on the governing board of the institution.

Tax Exemptions

Under the Municipal Act homes for the aged built by non-profit organizations with the aid of provincial grants made under the Elderly Citizens Housing Aid Act must be exempted from taxation by municipalities. The exemption also covers land surrounding homes but does not extend to charges made for utilities.

The Municipal Act also provides that the buildings and land belonging to any charitable or philanthropic organization operated for the relief of aged and infirm persons may be exempted in whole or in part from municipal taxation, if the organization is partially supported from public funds. However, this does not extend to local improvement taxes and special charges. The affirmative vote of two-thirds of the council is required for this class of exemption.

Under the charter of the City of Vancouver real property owned and occupied by a charitable institution is exempt from taxation.

MAINTENANCE IN WELFARE INSTITUTIONS

Needy persons are maintained in licensed welfare institutions and boarding homes under the Social Assistance Act. An applicant must reside in the Province for one year to be eligible for social assistance.

Institutional and boarding home rates are set by the municipalities (except in unorganized territory where they are set by the Regional Welfare Administrator) but provincial contributions are based on a maximum rate of \$85 per month. In setting rates authorities are to take into account the standard of service offered and the facilities provided; maximum rates are not necessarily paid to all homes furnishing care.

Ninety per cent of the costs of maintaining municipal residents in homes are borne by the Province; the remaining 10 per cent is pooled and shared by the municipalities on a per capita basis. The Province bears the entire cost of maintaining those who have not resided for one year in an organized municipality.

Persons who receive statutory allowances, such as Old Age Security or Old Age Assistance, or the provincial cost-of-living bonus are required to contribute these toward their own maintenance.

A comforts allowance of \$10 per month may be paid to cover the personal needs of residents of institutions and boarding homes. This is paid in addition to any other allowance for a person's care and is shareable on the same basis as the regular allowance. Clothing grants may also be made when necessary and these are similarly shareable.

LICENSING AND INSPECTION OF WELFARE INSTITUTIONS

The Welfare Institutions Licensing Act provides for provincial licensing and supervision of welfare institutions and of proprietary boarding homes for children and aged persons. Regulations under the Act prescribe standards which apply to a variety of matters including accommodation, equipment, administration, activities for residents, and record-keeping.

With reference to the aged, the provisions of the Act extend to any refuge, shelter, poorhouse, boarding home or other institution in which food and lodging are furnished, with or without charge, to two or more persons.^{1/} The Act further specifies that these be persons who are unemployable because of age, infirmity, physical or mental defects or other disabilities, and are destitute or in receipt of an old age pension or some form of public assistance granted only to destitute persons. The Act does not apply when the residents are related by blood or marriage to the person operating the home.

Licensed homes may admit only persons who are ambulatory and able to look after their own personal needs. The Act does not apply to private hospitals licensed under the Hospitals Act or to a hotel licensed under the by-laws of any municipality. The provisions of the Act govern municipal homes as well as charitable or non-profit institutions and proprietary homes.

Administration

The Act is administered by the Welfare Institutions Board, established under its authority. The Board consists of the provincial Superintendent of Child Welfare, the

^{1/} The Act also applies to children's institutions, maternity homes, hostels or refuges for unemployed persons and day care institutions for children.

Deputy Minister of Health or some senior officer of the Health Department selected by him, and not more than three other members of the Civil Service appointed by the Minister of Social Welfare. The Minister designates one member of the Board as Chairman. Members serve during the Minister's pleasure and do not receive remuneration, other than travelling and other personal expenses incurred in the discharge of duties.

The Act provides for the appointment of a chief inspector of welfare institutions under the Civil Service Act, and deputy inspectors required. The chief inspector investigates and reports to the Board on every application for a licence to operate a welfare institution made pursuant to the Act and, subject to the approval of the Minister of Social Welfare, performs additional duties as required by the Board.

Licensing

Subject to the Act and its Regulations, the Board may issue a licence to any person if it is satisfied that he is a fit and proper person to operate a welfare institution and that he will operate the institution in a manner not detrimental to the welfare of the inmates or to the general public. No person may operate a welfare institution unless he holds a licence issued under the Act. Violation of this provision is punishable on conviction by a fine of not less than \$25 and not exceeding \$300. Each licensee must have his licence continuously displayed on his premises in a conspicuous place satisfactory to the Board.

A fee of \$1 is paid for each licence that is issued; no charge is made for renewals. Licences expire on December 31 of the year for which they are issued.

Licensing Procedure

Application for a licence is made in a form prescribed by the Welfare Institutions Board^{1/} and must be accompanied by a chest X-ray report completed in the last three months on all occupants of the home over 16 years of age, other than

^{1/} Included in the application are the name, address and age of the applicant and the name and qualifications of the person in charge of the institution or home. If the institution is incorporated under the Societies Act the date of incorporation is given, as well as the date of any city or other licence that has been granted. The applicant also signs a statutory declaration stating that the provisions of the Act and its Regulations are being carried out in the home.

those admitted for care. Applications are forwarded to the chief inspector, with a copy of the constitution and by-laws of the sponsoring body, a list of its sources of income and the name, address and office of each Board member, if the home is operated by a Board. Also, a study of the home is prepared by a district or municipal social worker and forwarded to the chief inspector.^{1/} A recommendation for or against licensing is included by the social worker in his study. Reports on building, zoning, fire protection, electrical wiring and health requirements are obtained directly from the municipality in which the home is located, by the chief inspector.

Inspection

Licensed welfare institutions must be open at all times to any member or authorized representative of the Welfare Institutions Board. The person inspecting an institution may examine every part of it and its financial or other records; he may also inquire into all matters concerning the institution, its employees and residents.^{2/}

Any member or representative of the Board may enter and inspect any building that he has reason to believe is being operated as an unlicensed welfare institution. He may request full information from the proprietor concerning the use of the establishment and if the proprietor fails to give such information he is liable to conviction or a fine of up to \$100.

Renewal of Licences

As noted above, licences expire on December 31 each year. Renewals are granted on the basis of reports which must be submitted to the Welfare Institutions Board before November 15 each year by the municipal or district social worker who inspects the home. Changes in personnel, in the structure of a home or in the number of beds in it are noted, as well as the number of guests. The report includes comment on the management of the home and the quality of care provided and a recommendation for or against licensing.

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- ^{1/} The study, is prepared in accordance with a suggested outline. Items covered in the study are outlined below in the relevant sections under "Standards in Welfare Institutions".
 - ^{2/} The Welfare Institutions Office requests reinspection of licensed welfare institutions every five years. However, in most areas the homes are inspected by health and fire officers at least on an annual basis. District social workers are to report immediately any unusual circumstances in a home, including moves toward structural change.

Cancellation of Licences

The Board may cancel a licence at any time if the licensee or any employee of his violates any provision of the Act or its Regulations, and may refuse to reissue the licence until satisfied that they are likely to abide by these provisions. As noted above fines of from \$25 to \$300 may be levied on those who operate an institution without a licence.

STANDARDS IN WELFARE INSTITUTIONS

Regulations under the Welfare Institutions Licensing Act govern the management and general standards of operation of licensed institutions and boarding homes.

Building and Site

Every building used as a welfare institution must meet provincial and municipal standards affecting building and zoning. No structural alterations may be made in a licensed welfare institution without the written consent of the Welfare Institutions Board.

The initial investigation on the basis of which a licence is granted or withheld must give information on the characteristics of both the exterior and interior of the home, such as the state of repair, the condition of the grounds, the layout and accurate size of rooms, together with a rough floor plan of the home. The type of district, that is, rural or urban, congested or spacious, is also considered, and any special features of the neighborhood such as water supply, transportation facilities, and distance from churches.

Equipment and Facilities

Buildings used as welfare institutions must meet provincial and municipal requirements governing fire protection, electrical wiring, health and sanitation. Furnishings and equipment necessary for the comfort of the residents must be provided. The initial inspection report includes information on the number of basins, baths and toilets, the adequacy of the heating system, and the suitability of the kitchen to serve the number of residents in care.

Accommodation

Number to be Accommodated. No welfare institution for the aged may be licensed to care for more than 20 persons, unless in the opinion of the Board there are special circumstances which justify the care of a greater number. Each

licence sets forth the number of persons which the institution may have in care and an institution may care for more than this number only with the written consent of the chief inspector.

Living Room. Every welfare institution or home must have a comfortable sitting room for the use of the residents.

Sleeping Accommodation and Facilities. Only the first and second floors may be used for sleeping accommodation. A basement bedroom may not be used unless it has been approved by the appropriate local authorities and by the Welfare Institutions Board. Each single resident must be provided with a single bed with a comfortable spring and mattress; husbands and wives may be provided with double beds. A minimum of 54 square feet of floor space per person is required in each sleeping room.

Sanitation

Welfare institutions must be brought up to provincial or municipal requirements governing sanitation. Regulations governing cleaning, ventilating and disinfecting of public and charitable institutions may be made by the Lieutenant-Governor in Council under the provincial Health Act.

Regulations in effect under the Act governing the sanitation of eating and drinking places are used as a guide in the inspection of licensed welfare institutions. The regulations are comprehensive in their scope and content and relate, among other things, to the health and cleanliness of employees, water supply, lighting and ventilation, cleaning of eating utensils and garbage disposal.

Fire Protection

A building used as a welfare institution must meet provincial or municipal requirements respecting fire protection. Conditions under which fire escapes are required in public buildings are set out in the Fire Marshal Act, which also covers lighting of exits and installation of sprinkler systems. Regulations under the Act authorize the provincial fire marshal to require the installation of a fire alarm system in any building other than a private dwelling.

Personnel

A licensee must be a 'fit and proper' person to operate a welfare institution or boarding home. If he does not live in the institution, a reliable manager who will live there must be placed in charge. When there is a change in management,

the licensee must notify the chief inspector within 24 hours, giving the name of the new manager.

Every licensee must provide adequate staff to care for and look after the needs of the residents of his home.

The initial report on all homes contains a description of the person in charge as well as the names and ages of the staff or of the family of the proprietor and comments on their personality and appearance. The health of the family and staff and their ability to handle the type of guest proposed are also noted.

Nutrition

In the initial investigation of a home for licensing purposes the quality and attractiveness of the meals served is noted. The report also notes whether meals are served on trays or in the dining room.

When a home is licensed, prepared material which includes menus and other nutritional information is provided to the operator. The district social worker observes meals on her visits to the homes and the operators of the homes are required to forward a statement of food costs for each year to the Welfare Institutions Office. Complaints about meals are followed up by the Welfare Institutions Office and the district social workers.^{1/}

Religious Worship

No licensee may interfere with the religious beliefs of a resident of his institution.

Recreation

Every licensee must make reasonable provision for the recreational and occupational needs of residents. During the initial investigation of a boarding home the recreational facilities available are noted.

Records and Returns

Each licensee must keep written records pertaining to the operating costs of his institution or boarding home in a form satisfactory to the Welfare Institutions Board. He must

^{1/} Through a program adopted in Vancouver the city Nutritional Consultant and her staff visit all licenced boarding homes providing assistance and advice to the operators on the preparation of meals.

keep a written record for each person admitted, including his name, place and date of birth, date of admission, marital status, former address and the name and address of the next of kin or person to be notified in an emergency. The record must also contain a statement of the amount of maintenance agreed upon for each person and the name and address of the person, if any, responsible for maintenance, the name and address of the family physician, if any, and for each person discharged or leaving, a record must be kept of the date and reason.

An annual report for each licensed institution or home must be submitted to the chief inspector on the form supplied.

Notifications

The Chief Inspector must be notified, within 24 hours of any accident, serious illness, sudden death, fire, or other unusual event occurring in a licensed institution or boarding home.

TRANSFER TO HOMES BY COURT ORDER

Under the Health Act an aged, infirm or physically incapacitated person who is found by a medical officer of health to be living in unsanitary conditions because he is unable to care for himself may be moved to a hospital, nursing home, home for the aged or other suitable accommodation. The Medical Officer of Health must apply to a Police Magistrate or to two Justices of the Peace to have such a person moved from his home.

A person for whose removal an application is made may be represented in court by counsel. If the Court is satisfied that he requires care and maintenance other than he is receiving, it must order his removal to an institution or other suitable place, for a term not exceeding three months. The order may, if necessary, be renewed from time to time for periods not exceeding three months.

Reports indicate that it is seldom necessary to use these provisions of the Health Act.

BOARDING HOME CARE

Proprietary boarding homes caring for two or more aged or infirm persons come under the licensing and inspection provisions of the Welfare Institutions Licensing Act, outlined above, and

must meet the standards set out in Regulations under the Act. Homes caring for persons who are unemployable because of age, infirmity or some other disability and who are destitute or are in receipt of an old age pension, or some form of public assistance are governed by its provisions.

LODGING HOUSE ACCOMMODATION

PROVINCIAL REGULATION

Provincial authority to regulate boarding and lodging house accommodation for persons of all ages is provided by the Health Act. Under this Statute the Lieutenant-Governor in Council may by regulation provide for the compulsory registration of boarding houses, lodging houses and tenements, and may determine the method of such registration. He may also regulate the construction of such premises, the size of rooms, and the number of persons who may live in them, with due regard to ventilation, natural light and sanitary conditions. Provincial or local health officers are granted access to any accommodation subject to such regulations. Regulations under the Health Act governing the sanitation of eating and drinking places are used as a guide in inspecting commercial lodging houses.

MUNICIPAL LICENSING

Authority to license persons operating lodging houses, boarding houses, apartment houses or any premises containing rooms for lodging or living purposes are granted to local government authorities under the Municipal Act. They may pass by-laws compelling the registration of such premises and may require periodically the names of persons living in them. These provisions do not apply to persons having less than three rooms for rent.

The City of Vancouver, which operates under a charter, has a by-law which governs the operation and maintenance of all lodging houses with three or more rooms occupied as rented accommodation and requires that they be licensed.

ACCOMMODATION IN GENERAL

BUILDING STANDARDS

Authority to regulate and supervise building is granted to municipalities by the Municipal Act. These powers extend to the regulation of construction, alteration and demolition

of buildings and the installation of plumbing and electrical equipment. Municipalities may adopt all or part of the National Building Code as a basis for their governing by-laws. They may issue building permits and prescribe conditions governing their issue.

HEALTH AND SANITATION

Under the Health Act the Province may provide for the inspection of private as well as public buildings. This Act authorizes local health officers to enter and examine any premises in the place for which they hold office, as often as they think necessary. These officers have power to order the owner or occupant to remedy any unsanitary condition or eliminate any danger to public health that they find on the premises.

Regulations governing cleaning, ventilating and disinfecting of houses, as well as public and charitable institutions and other buildings may be made under the Health Act.

Municipalities are authorized by the Municipal Act to make by-laws to prohibit the creation of unsanitary conditions and requiring the removal of such conditions from property owned or occupied by any person. They may prevent the occupation of any premises which do not comply with the Health Act or its Regulations. Inspectors may be appointed to enforce these by-laws.

FIRE PREVENTION

Fire prevention measures are carried out in British Columbia under the authority of the Fire Marshal Act. The Provincial Fire Marshal and his local assistants are appointed under the Act, with general authority to inspect buildings and premises and order the removal of conditions that might cause fire.

Municipalities are required by the Act to have a system of regular inspection of buildings within their boundaries. This must provide for the inspection of all buildings where lodging is provided, other than private dwellings, at least once every two months. Municipalities are also given general authority to enact by-laws for fire prevention.

The installation of fire escapes and sprinkler systems and the lighting of exits in public buildings are also governed by this Act.

LIST OF STATUTES

The Department of Social Welfare Act, S.B.C. 1959, c. 76.

The Elderly Citizens Housing Aid Act, S.B.C. 1955, c. 19.

The Fire Marshal Act, R.S.B.C. 1948, c. 124; S.B.C. 1950, c. 20; 1951, c. 28; 1954, c. 9; 1959, c. 33.

The Housing Act, S.B.C. 1950, c. 31; 1956, c. 23.

The Municipal Act, S.B.C. 1957, c. 42; 1958, c. 32; 1959, c. 56.

The Provincial Home for the Aged and Infirm Act, R.S.B.C. 1948, c. 270; S.B.C. 1955, c. 61; 1958, c. 52.

The Public Health Act, R.S.B.C. 1948, c. 141; S.B.C. 1956, c. 28.

The Social Assistance Act, R.S.B.C. 1948, c. 310.

The Societies Act, R.S.B.C. 1948, c. 311; S.B.C. 1951, c. 74; 1954, c. 40.

The Welfare Institutions Licensing Act, R.S.B.C. 1948, c. 363; S.B.C. 1950, c. 78; 1959, c. 93.

Regulations

Regulations under the Fire Marshal Act, B.C. Reg. 491/59.
British Columbia Gazette, Part II, December 24, 1959.

Regulations under the Welfare Institutions Licensing Act.
B.C. Reg. 449/59. British Columbia Gazette, Part II,
December 24, 1959.

Regulations under the Elderly Citizens Housing Aid Act, 1955.

